

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE TWENTY EIGHTH DAY OF JUNE TWO THOUSAND AND TWENTY ONE
:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 4591 OF 2021

Between:

Mohammed Akram, S/o. Ismail

...Petitioner/Accused

AND

The State of Telangana, through S.H.O., Adilabad I Town Police Station,
Adilabad District, Rep. by its Public Prosecutor, High Court, Hyderabad.

...Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the petitioner herein on bail in the event of his arrest in connection with F.I.R No.123/2021 of Adilabad I Town Police Station, Adilabad District.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of M/s GAJANAND CHAKRAVARTHI Advocate for the Petitioner and of Assistant PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4591 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused seeking to grant anticipatory bail in the event of his arrest in Cr.No.123 of 2021 on the file of Adilabad I Town Police Station, Adilabad District, registered for the offences punishable under Sections 270, 273, 328 read with Section 511 IPC.

2. Heard learned counsel for the petitioner/accused, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. The prosecution case is that on 16.06.2021 at 1900 hours, on credible information, the Sub-Inspector of Police along with his staff, rushed to the house bearing No 1-4-34, belongs to one Shabuddin, situated at Bokkalaguda, Adilabad, and seized noxious substances i.e., Gutka and Tobacco, worth Rs.3,11,000/-, under a cover of panchanama and thereafter, registered a case against the accused.

4. Learned counsel for the petitioner/accused would submit that the petitioner is innocent of the alleged offences and he has been falsely implicated in the present case. He would further submit that even as per the allegations in the complaint, no case is made out against the petitioner. He would also submit that petitioner is not involved in any other crime prior to this occurrence and he is a law abiding citizen and ready to abide by any condition that may be imposed by this Court in the event of his enlargement on anticipatory bail.

5. Learned Assistant Public Prosecutor, on reiterating the counter averments, vehemently opposed to grant anticipatory bail to the petitioner. He submits that the petitioner/accused is owner of Akram Traders and he

was transporting and selling the noxious substances, i.e., Gutka and Tobacco, which are banned by the Government and that the alleged offences committed by the accused are serious in nature as it causes injury to public health. He also submits that the investigation is not yet completed.

6. Having regard to the facts and circumstances and looking into the nature of allegations leveled against the petitioner and also in view of peculiar conditions of pandemic COVID-19 prevailing in the country, without delving into the merits of the matter, I am inclined to grant anticipatory bail to the petitioner/accused

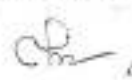
7. The Criminal Petition is accordingly allowed and the petitioner/accused is granted anticipatory bail subject to the following terms and conditions:

- (i) The petitioner/accused is directed to surrender before the Station House Officer, Adilabad I Town Police Station, Adilabad District, within a period of 15 days from the date of this order and on such surrender, the said Station House Officer shall release the petitioner/accused on bail on his executing a personal bond to the tune of Rs.10,000/- (Rupees ten thousand only) with two sureties for the like sum each to his satisfaction.
- (ii) The petitioner/accused shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

8. Miscellaneous applications, if any pending in this criminal petition, shall stand closed

**SD/- R. KARTHIKEYAN
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Adilabad District.
2. The S.H.O., P.S., Adilabad I Town, Adilabad District.
3. One CC to M/s. GAJANAND CHAKRAVARTHI, Advocate [OPUC].
4. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT].
5. One spare copy
ZEE

HIGH COURT

GSDJ

DATED:28/06/2021

ORDER

CRLP.No.4591 of 2021



BAIL