

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE FIFTH DAY OF JULY TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 4812 OF 2021

Between:

Nadeem Khan, S/o Mujeeb Khan.

Petitioner/Accused

AND

The State of Telangana, through S.H.O., Mavala 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 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. 80 of 2021 of Mavala 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 Sri GAJANAND CHAKRAVARTHI, Advocate for the Petitioner, Asst. PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.4812 OF 2021

ORDER:

This is an application for anticipatory bail. The petitioner herein is the sole accused in Crime No.80 of 2021 of Mavala Police Station, Adilabad District. The offences alleged against him are under Sections 420, 270, 273, 328 read with Section 511 of IPC.

2. Heard Sri Gajanand Chakravarthy, learned counsel for the petitioner and learned Assistant Public Prosecutor. Perused the record.

3. As per the complaint dated 25.06.2021, the allegations against the petitioner are that he is illegally transporting tobacco products i.e., 5 gunny bags of RK Classic tobacco, 8 gunny bags of P-1 tobacco, 6 gunny bags of VC-5 tobacco, 60 packets of JK 3320 tobacco and 150 boxes of QIWAM Rajtara, total worth of Rs.77,730/-. A perusal of the complaint would reveal that the ingredients of offences alleged against the petitioner are lacking.

4. This Court, vide common order dated 05.07.2021 in Cri.P.Nos.152 of 2020 and batch, quashed the proceedings in various crimes registered by the Police for the offences under Sections 188, 270, 271, 272, 273, 328, 326 and 420 of IPC on the ground that the contents of the complaints are lacking the ingredients of the said offences. In the present case also, the

ingredients of the offences alleged against the petitioner are lacking. Therefore, this Court is inclined to grant anticipatory bail to the petitioner/accused.

5. Accordingly, the Criminal Petition is allowed and the petitioner is granted anticipatory bail subject to the following conditions:

(i) The petitioner/accused is directed to surrender before the Station House Officer, Mavala Police Station, Adilabad District, within a period of two (2) weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on his executing a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety to 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. and co-operate with the Investigating Officer in investigating the case.

Miscellaneous petitions pending, if any, shall stand disposed of.

SD/- K ONESIM
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Station House Officer, Mavala Police Station, Adilabad District
2. One CC to SRI GAJANAND CHAKRAVARTHI Advocate [OPUC]
3. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT)
4. One spare copy

mvj

HIGH COURT

KL,J

DATED:05/07/2021

ORDER

CRLP.No.4812 of 2021

BAIL

