

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE NINTH DAY OF JULY
TWO THOUSAND AND TWENTY ONE,

:PRESENT:
THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION NO: 4924 OF 2021

Between:

1. Gouri Venkatesham, S/o. Jangaiah,
2. Ushannagari Manaiah, S/o. Shivaiah Goud,

Petitioners/Accused 4 & 5

AND

The State of Telangana, Represented by its Public Prosecutor, through Station House Officer,
Prohibition and Excise Station, Vikarabad Town, Vikarabad District.

The State/ Respondent

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the petition and the grounds filed therein, the High Court may be pleased to grant anticipatory bail to the Petitioners/A-4 & A-5 in the event of their arrest in connection with Crime in C.O.R No.3 of 2021, dated 09.01.2021 on the file of Prohibition and Excise Station, at Vikarabad Town and District.

The petition coming on for hearing, upon perusing the petition and the grounds filed therein and upon hearing the arguments of Sri Srinivas Kapatia, Advocate for the Petitioners, and of the Addl. Public Prosecutor, for the Respondent, the Court made the following.

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.4924 OF 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioners/A-4 and A-5, for grant of anticipatory bail in COR.No.3 of 2021 of P.S. Vikarabad Prohibition and Excise Station, Vikarabad District, registered for the offences punishable under Section 37(a) of the Telangana State Excise Act R/w. Section 8(c) r/w.22(a) of the NDPS Act, 1985.

Heard the learned counsel for the petitioners/A-4 and A-5, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

Learned counsel for the petitioners/A-4 and A-5 would submit that the petitioners are innocent persons and never committed any offence as alleged by the respondent-police. It is further submitted that the petitioners are law-abiding citizens and have nothing to do with the alleged offence. Further, they are ready to give sufficient sureties to the satisfaction of this Court to secure their presence on each and every date of hearing to face the trial and also ready to abide by the terms and conditions if any that may be imposed by this Court for their release. Hence, he prayed to grant anticipatory bail to the petitioners/A-4 and A-5.

Learned Additional Public Prosecutor representing the respondent-State opposed to grant anticipatory bail to the petitioners/A-4 and A-5.

Having regard to the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners/A-4 and A-5 on some conditions.

Accordingly, the Criminal Petition is allowed and the petitioners/A-4 and A-5 are granted anticipatory bail subject to the following terms and conditions:

- (1) The petitioners/A-4 and A-5 are directed to surrender before the Station House Officer, P.S. Vikarabad Prohibition and Excise Station, Vikarabad District, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioners/A-4 and A-5 on bail, on their executing personal bond for a sum of Rs.15,000/- (Rupees fifteen thousand only) each with two sureties for a like sum each to his satisfaction.
- (2) Commencing from the month of July, 2021, the petitioners/A-4 and A-5 shall appear before the investigating authorities on every third Saturday between 10.00 am and 5.00 pm till completion of investigation and filing of final report.
- (3) The petitioners/A-4 and A-5 shall not indulge in similar type of offences in future and if it is found that they are indulged in similar type of offences in future, liberty granted to them shall automatically stand cancelled and they shall be taken into custody.

(4) The petitioners/A-4 and A-5 shall abide by the conditions stipulated in Section 438(2) Cr.P.C and co-operate with the investigating officer in investigating the case.

Miscellaneous applications, if any, pending shall stand closed.

//TRUE COPY//

SD/- K.AMAJI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judicial First Class Magistrate, Vikarabad, Ranga Reddy District.
2. The Station House Officer, PS Vikarabad Prohibition and Excise Station, Vikarabad District.
3. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
4. One CC to Sri Srinivas Kapatia, Advocate (OPUC)
5. One spare Copy

HIGH COURT

GSD,J

DATE: 09-07-2021

ORDER

CRL.P. NO. 4924 OF 2021



PETITION ALLOWED