

**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: 4959 OF 2021

Between:

Gouri Venkatesham, S/o. Jangaiah,

Petitioner/Accused-5

AND

The State of Telangana, Represented by its Public Prosecutor, High Court, Hyderabad, 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 Petitioner/A-5 in the event of his arrest in connection with Crime in C.O.R No.16 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 Petitioner, and of the Addl. Public Prosecutor, for the Respondent, the Court made the following.

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.4959 OF 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner/A-5, for grant of anticipatory bail in COR.No.16 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 petitioner/A-5, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

Learned counsel for the petitioner/A-5 would submit that the petitioner is an innocent person and never committed any offence as alleged by the respondent-police. It is further submitted that the petitioner is a law-abiding citizen and has nothing to do with the alleged offence. Further, he is ready to give sufficient sureties to the satisfaction of this Court to secure his 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 his release. Hence, he prayed to grant anticipatory bail to the petitioner/A-5.

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

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

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

- (1) The petitioner/A-5 is 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 petitioner/A-5 on bail, on his executing personal bond for a sum of Rs.15,000/- (Rupees fifteen thousand only) with two sureties for a like sum each to his satisfaction.
- (2) The petitioner/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 petitioner/A-5 shall not indulge in similar type of offences in future and if it is found that he is indulged in similar type of offences in future, liberty granted to him shall automatically stand cancelled and he shall be taken into custody.
- (4) The petitioner/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.

SD/- K.AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

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. 4959 OF 2021



PETITION ALLOWED