

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
THURSDAY, THE TWELFTH DAY OF AUGUST TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 6236 OF 2021

Between:

Muhummed Jasir Avez, S/o. Md. Mahemood Pasha

...Petitioner/Accused

AND

The State of Telangana, Rep its Public Prosecutor High Court of Telangana at 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/Accused on Bail in the event of his arrest in FIR No.85 OF 2021, dated: 21/06/2021 of P.S Kalur Thimmandoddi, Jogulamba Gadwal 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 G. RAJESHWAR RAO 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.6236 of 2021

ORDER:

The 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 connection with Crime No.85 of 2021 on the file of Kalur Thimmandoddi Police Station, Jogulamba Gadwal District, registered for the offences under Sections 272, 273, 328 read with Section 511 IPC..

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

3. The prosecution case is that on 21.06.2021 at 17.00 hours, on instructions, the S.I. of Police along with his staff proceeded to Nandinne Check Post, stopped a van and seized 12 bags of Gutka, Kainee packets worth Rs.1.40 lakhs from the possession of the accused.

4. Learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the entire investigation is completed, except filing of the charge sheet. He also submits that the petitioner is not having any criminal antecedents prior to the alleged occurrence and he is a law abiding citizen and ready to abide by any condition that may be imposed in the event of his enlargement on anticipatory bail.

5. Learned Assistant Public Prosecutor opposed to grant anticipatory bail to the petitioner.

6. Having regard to the facts and circumstances and looking into the nature of allegations leveled against the petitioner, without delving into the merits of the matter, I am inclined to grant anticipatory bail to the petitioner/accused.

7. Accordingly, the Criminal Petition is 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, Kalur Thimmandoddi Police Station, Jogulamba Gadwal District, within a period of 15 days from today, 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.15,000/- (Rupees fifteen thousand only) with two sureties to the like amount each to his satisfaction.
- (ii) The petitioner/accused shall comply with the conditions as laid down under Section 438 (2) of Cr.P.C.

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

Sd/- T.TIRUMALA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Additional Judicial First Class Magistrate at Gadwal District.
2. The Station House Officer, Police Station, Kalur Thimmandoddi, Jogulamba Gadwal District.
3. One CC to M/s G. RAJESHWAR RAO, 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:12/08/2021

ORDER

CRLP.No.6236 of 2021



BAIL