



IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THURSDAY, THE TWENTY SIXTH DAY OF AUGUST /
TWO THOUSAND AND TWENTY ONE

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

CRIMINAL PETITION NO: 6267 OF 2021 /

Between:

Ganapathi @ Lonkar Ganapathi Rao, S/o. Suryakanth Rao,

Petitioner/Accused

AND

The State of Telangana, rep. by the Public Prosecutor, High Court at Hyderabad.

Respondent/Complainant

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 release the petitioner on bail in the event of his arrest in Crime No. 141 of 2021 of PS Gadwal, Mahabubnagar District, on such terms and conditions as the Hon'ble Court may deem fit and proper in the interest of justice;

The petition coming on for hearing, upon perusing the Petition and the grounds filed therein, and upon hearing the arguments of Sri M.Achutha Reddy, Advocate for the Petitioner, and of the Asst. Public Prosecutor, for the Respondent, the Court made the following.

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.6267 of 2021

ORDER:

The petitioner/accused filed the present Criminal Petition under Sections 438 of the Code of Criminal Procedure seeking to grant anticipatory bail to him in Crime No.141 of 2021 of P.S. Gadwal, Mahabubnagar, registered for the offences punishable under Sections 120B, 420 IPC and Sections 7(c) and 13 of Essential Commodities Act.

Heard learned counsel for the petitioner. Learned Assistant Public Prosecutor for respondent vehemently opposed the bail application.

The only allegation against the present petitioner is that he has instructed the RI, Gadwal to release the stock along with vehicle to the owner of rice mill without filling 6-A report to the Additional Collector, Civil Supplies, Gadwal.

Thus, looking into the nature of allegations levelled against the petitioner and other facts of the case, without adverting into the merits of the case, I am inclined to release the petitioner on anticipatory bail.

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

- (i) The petitioner is directed to surrender before the Additional Judicial Magistrate of First Class, Gadwal, within a period of fifteen days from today, and on such surrender, he shall be released on bail on his executing a personal bond to the tune of Rs.15,000/- (Rupees Fifteen Thousand Only) with two sureties each to the like amount to the satisfaction of the Additional Judicial Magistrate of First Class, Gadwal.

- (ii) The petitioner shall personally appear before the investigating authorities as and when directed and shall fully cooperate with the investigation.
- (iii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Investigating Authority.
- (iv) The petitioner shall not act in any manner which will be prejudicial to fair and expeditious investigation.
- (v) The petitioner shall not misuse the liberty granted to him, failing which the Court concerned shall take appropriate action in accordance with law in the light of the judgment of the Apex Court in **Sushila Aggarwal and others v. State (NCT of Delhi) and others¹**.
- (vi) The petitioner shall also comply with the other conditions as laid down under Section 438 (2) of Cr.P.C.

//TRUE COPY//

SD/- K.SHYLESHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The III Addl. District and Sessions Judge, Gadwal, Mahabubnagar District.
2. The Addl. Judicial First Class Magistrate, Gadwal, Mahabubnagar District.
3. The Station House Officer, Gadwal Town Police Station, Jogulamba Gadwal District.
4. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
5. one CC to Sri M.Achutha Reddy, Advocate (OPUC)
6. one Spare Copy

¹ 2020 SCC Online SC 98

HIGH COURT

GSD,J

DATE: 26-8-2021

ORDER

CRL.P. NO. 6267 OF 2021

PETITION ALLOWED

