

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 9011 of 2021

ORDER:

This petition is filed under Section 438 Cr.P.C. seeking bail to petitioners/A-2 and A-3 in the event of their arrest in connection with Crime No.300 of 2021 of Suryapet II Town Police Station, Suryapet District, registered for the offences punishable under Sections 420, 273, 328 IPC and under Section 59 of Food Safety and Standard Act, 2006.

2. The case of the prosecution is that on 22-11-2021 at 13.30 hours, on credible information, the Sub-Inspector of Police along with his staff, apprehended the accused, and on enquiry, they confessed that they were mixing the chemical substances in tea powder, which causes health hazards to the public, to gain more money, thereby cheated the public.

3. Learned counsel for petitioners Sri Challa Dhanamjaya, submits that this Court, by order dated 09.12.2021, has granted interim bail to petitioners directing them to appear before the Station House Officer, Suryapet-II Town Police Station, Suryapet District, once in a week, and it is also observed by this Court that learned counsel for petitioners submitted that the investigating officer with a pre-meditated conclusion held that the tea-powder is an adulterated one without being tested by the competent authority and that except the offence under Section 328 IPC, all other offences are punishable with imprisonment below seven years, and this Court has granted interim bail awaiting for the report of the Government analyst.

4. Today, when the matter came up, learned Assistant Public Prosecutor submits that they are yet to receive the report and he also does not dispute the fact that the petitioners are complying with the said condition.

5. Taking into consideration the fact that the petitioners are cooperating with the investigation, this Court deems it appropriate to grant pre-arrest bail to petitioners, however, on certain conditions.

6. The Criminal Petition is allowed. Petitioners – Accused Nos.2 and 3 shall surrender before the Station House Officer, Suryapet II Town Police Station, Suryapet District, in connection with Crime No.300 of 2021 within one week from today and on such surrender and executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) each with two sureties for a like sum each to the satisfaction of the said Station House Officer, they shall be released on bail. On such release, the petitioners/A2 and A3 shall appear before the police concerned once in 15 days i.e., on Saturday, between 10.00 am and 2.00 pm, till completion of investigation and filing of the charge sheet. It is made clear that no further extension of time will be granted.

LALITHA KANNEGANTI, J

21st December, 2021

sj