

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SMT JUSTICE LALITHA KANNegANTI

CRIMINAL PETITION NO: 830 OF 2022

Between:

Ramesh Goud, S/o. Narayana Goud, Aged about 45 years,
Occupation.agriculture, R/o. B.T.S.Colony, Vikarabad town and District,
Telangana State.

...Petitioner/Accused-2

AND

The State of Telangana, represented by its Public Prosecutor, Through Station
House Officer, Vikarabad Town Police Station, Vikarabad District.

...The State

Petition under Section 438 of Cr.P.C praying that in the circumstances stated
in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased
to grant anticipatory bail to the Petitioner/A-2 in the event of his arrest in connection
with Crime in F.I.R No.16 of 2021, dated 09-01-2021 on the file of Police Station
Vikarabad Town and District,

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Sri Srinivas
Kapatia, Advocate for the Petitioner and the Assistant Public Prosecutor on behalf of
the Respondent.

The Court made the following: ORDER

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.830 of 2022

ORDER:

This Criminal Petition under Section 438 Cr.P.C. is filed by petitioner – Accused No.2 seeking bail in the event of his arrest in connection with Crime No.16 of 2021 on the file of Vikarabad Town Police Station, Vikarabad District, registered for the offence punishable under Section 304-II IPC and under Section 37-A(1) of Telangana State Excise Act.

2. The case of prosecution is that the de-facto complainant lodged a complaint stating that on 08.01.2021 at 0900 hours, his father, who was in the habit of consuming toddy every day, has consumed toddy, went to the fields of Venkat Reddy for cutting the cattle fodder and fell in unconscious condition and after sprinkling water, he cured, but on 09.01.2021, they found dead. It is stated that some of the villagers were also fell ill due to consumption of adulteration of toddy. Hence, he filed the complaint to take action against the accused for selling adulteration of toddy.

3. Learned Assistant Public Prosecutor submits that all other accused in the present crime were arrested and later released on bail. He submits that the entire investigation is completed and the charge sheet is filed showing that the petitioner/A2 is absconding.

4. Taking into consideration the fact that the charge sheet is filed showing that the petitioner/A2 is absconding and the other accused were arrested and released on bail, this Court is not inclined to grant pre-arrest bail to the petitioner. However, the petitioner is at liberty to surrender before the Court below and on such surrender and moving an application for bail, the Court below shall consider the same in accordance with law.

5. Accordingly, the Criminal Petition is dismissed.
6. Miscellaneous petitions, if any pending in this criminal petition shall stand dismissed.

//TRUE COPY//

SD/-V.KAVITHA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The XII Additional District Judge, Vikarabad.
2. The Station House Officer, Vikarabad Town Police Station, Vikarabad District.
3. Two CCs to the Assistant Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri Srinivas Kapatia, Advocate [OPUC]
5. Two CD Copies
6. One Spare Copy

MMK
TR

HIGH COURT

DATED:07/02/2022

ORDER

CRLP.No.830 of 2022



DISMISSING THE CRIMINAL PETITION

AJF 8
16/2/2022