

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**MONDAY, THE EIGHTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 4573 OF 2022

Between:

Etta Kumar, S/o Etta Shankar, Aged . 30 years, Occ. Business, R/o. 56-187/1-1, Vajpayee Nagar, Chinthal, R.k District.

...PETITIONER/ACCUSED No. 3

AND

The State SHO, Bhongiri Town P.S, Within the limits of Rachakonda Commissionerate, Yadadiri Bhuvanagiri District, Rep. by its State Public Pfosecutor High Court for the State of Telangana.

...RESPONDENT/COMPLAINANT

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 enlarge the Petitioner/Accused No.3 on bail in the event of his arrest in connection with Crime No. 113 /2022 of Bhongir Town P.S, of Rachakonda Commissionerate.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri B CHINNAPA REDDY ,Advocate for the Petitioner and the Public Prosecutor (TG/AP) on behalf of the Respondent.

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 4573 of 2022

ORDER:

1. This Criminal Petition is filed under Section 438 Cr.P.C. by petitioner/A3 seeking bail in the event of his arrest in connection with Crime No.113 of 2022 on the file of Bhongir town Police Station, Rachakonda, registered for the offences punishable under Section 8 (c) read with 20(b) (ii) (c) of NDPS Act, 1985.
2. Heard learned counsel for petitioner and learned Assistant Public Prosecutor appearing for the respondent-State.
3. The allegation against this petitioner is that he was part of accused who were holding with 120 kgs. of ganja. According to the prosecution one person escaped when the police tried to apprehend him and they identified the petitioner as the person who escaped when the police tried to apprehend him.
4. Learned Counsel for the petitioner submits that he is nothing to do with such seizure and he was in hospital in Vijayawada.
5. However, prosecution insists that the claim of the petitioner that he was in hospital is not correct.

6. In the said circumstances, this Court is not inclined to grant relief of Anticipatory Bail to this petitioner. However, the petitioner is at liberty to move the trial Court by surrendering herself, within 10 days from the date of receipt of a copy of this order, by filing application seeking regular bail with due service to the Public Prosecutor. On such filing, the concerned Court shall dispose of the bail application, on merits, on the same day or the next day after giving opportunity of hearing to the Public Prosecutor.

7. Accordingly, the Criminal Petition is disposed of.

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

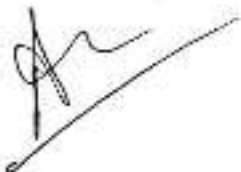
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SD/- G. SIREESHA
ASSISTANT REGISTRAR
H. vedavathi
SECTION OFFICER

To,

1. The Additional Judicial First Class Magistrate Rachakonda (Bhongir).
2. The Station House Officer, Bhongir Town Police Station, Bhongir.
3. Two CC to Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI B. CHINNAPA REDDY Advocate [OPUC]
5. Two CD Copies.
6. One Spare Copy.

NPJ



HIGH COURT

DATED:18/07/2022

ORDER

CRLP.No.4573 of 2022



DISPOSING OF THE CRIMINAL PETITION
WITHOUT COSTS.

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HMA
25/8/2022