

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6085 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioner who is arrayed as Accused No.1 in the event of his arrest in Crime Occurrence Report No.150 of 2016 on the file of Prohibition and Excise Station, Kodangal, Mahaboobnagar District registered for the offences punishable under Rule 27(C) of TS Excise (Toddy) Rules, 2014.

2. Heard learned counsel for petitioner/Accused No.1 and learned Assistant Public Prosecutor for respondent-State. Perused the record.

3. The case of the prosecution is that on 07.04.2016 the Excise Police, Mahabubnagar inspected TFT Toddy Shops at Nacharam and found toddy in 30 plastic crates in three counters each crate containing 12 bottles and each bottle filled with 350 ml of toddy total 234 liters and seized the same, from the possession of the accused.

4. Learned counsel for the petitioner submits that in fact the case is registered in the year 2016 but the petitioner does not know about the registration of the case; that the petitioner came to know about the registration of the case in last week of June, 2022 and that though the petitioner is very much available in the village, the police have not informed about the registration of the crime against the petitioner at any point of time. He further submits that the police are now trying to apprehend the petitioner.

5. In the said peculiar facts and circumstances, the petitioner/Accused No.1 can be granted the relief of anticipatory bail.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.1 shall be enlarged on bail in the event of his arrest subject to the following conditions:

i) The petitioner/Accused No.1 is directed to surrender before the Prohibition and Excise Station, Kodangal, Mahaboobnagar District within one week from today, and on such surrender, he shall be enlarged on bail on his executing personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioner/Accused No.1 shall appear before the investigating authorities as and when required.

iii) The petitioner/Accused No.1 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

7. As a sequel thereto, miscellaneous applications, if any pending, shall stand closed.

Date: 19.07.2022
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K.SURENDER, J