

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.8787 OF 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/A3 in connection with Crime No.103 of 2022 on the file of Kondamallepally Police Station, Nalgonda District, registered for the offences punishable under Section 5 of the Indian Explosive Substances Act, 1908.

2. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The case of the prosecution is that the Police of Kondamallepally of Nalgonda District arrested Accused No.3 who is the owner of the Mahalaxmi Stone Crusher, on the basis of confession of A-2, who is the driver of the DCM vehicle that 120 bags of Ammonium Nitrate bags were being transported from Balaji Enterprises to Mahalaxmi Stone Crusher Mills at the instance of A-1.

4. The only basis for arraying this petitioner as accused is the confession of Accused No.2. Admittedly, the Ammonium Nitrate was being sold at the instance of Balaji Enterprises.

5. In the said circumstances, this petitioner can be granted the relief of Anticipatory bail in the event of his arrest, subject to the following conditions:

- 1) The petitioner/A3 is directed to surrender before the Station House Officer, Kondamallepalli Police Station, Nalgonda District, on 25.09.2023. On such surrender, the said Station House Officer shall release the petitioner/A3 on bail, on his executing personal bond for a sum of Rs.50,000/- (Rupees fifty Thousand only) with two sureties for a like sum each to his satisfaction.
- 2) On such release, the petitioner/A3 shall appear before the concerned Station House Officer every day for a period of two weeks between 10.30 to 1.00 P.M., thereafter, as and when required, for the purpose of investigation.
- 3) The petitioner/A3 shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

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

K.SURENDER, J

Date : 20.09.2023
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Dt.20.09.2023

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