

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

**TUESDAY, THE THIRTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 946 OF 2024

BETWEEN:

Muppidi Anand Goud, S/o. M. Nagabushanam Goud, Aged about 49 years, Occ.
Business, R/o. H.No. 19-1-803, Doodh Bowli, Maharaj Gunj, Bhadurpura,
Hyderabad - 500064

...PETITIONER/ACCUSED No. 1

AND

The State of Telangana, Through its Police Station Kalapattar, Hyderabad District
Represented by the Public Prosecutor, High Court at Hyderabad

...RESPONDENT

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/ Accused No.1 in the event
of his arrest in F.I.R. No. 140 of 2023 before the Police Station Kalapattar,
Hyderabad District.

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Sri K. RAGHAVA
RAMANA, Advocate for the Petitioner and the Additional Public Prosecutor on
behalf of the Respondent No.1.

The Court made the following:

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.946 OF 2024

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/Accused No.1 seeking bail in the event of his arrest in connection with Crime No.140 of 2023 on the file of Kalapattar Police Station, Hyderabad, registered for the offence punishable under Section 37(a) of the Telangana State Excise Act, 1968.

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

3. This Court by order dated 20.11.2023 vide CrI.P.No.11443 of 2023 directed that no coercive steps shall be taken by the Police against the petitioner since there was no information regarding alleged presence of NDPS substance. However, under changed circumstances, the Police were granted liberty to move this Court seeking cancellation of the order extending the relief of not to take coercive steps.

4. The apprehension in the present application is unfounded. Since it was already directed that no coercive steps shall be taken against the petitioner in the earlier order, arrest cannot be effected unless the said order is cancelled and unless the grounds recorded by this Court.

5. At this juncture, learned Additional Public Prosecutor would submit that Section of law was altered and Section 8(c) r/w 22 (c) of NDPS Act was added. However, the said circumstance is a changed circumstance, for which this Court had earlier directed the Police to approach this Court seeking cancellation of said order. Accordingly, the said order needs to be followed by the Police.

6. With the above observations, the Criminal Petition is disposed off. Miscellaneous applications pending, if any, shall stand closed.

**SD/- A.V.S. PRASAD
ASSISTANT REGISTRAR**



//TRUE COPY//

SECTION OFFICER

To,

1. The Special Judicial First Class Magistrate for Excise Cases Hyderabad.
2. The Station House Officer, Kalapattar Police Station, Hyderabad.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
4. One CC to SRI. K RAGHAVA RAMANA, Advocate [OPUC]
5. Two CD Copies

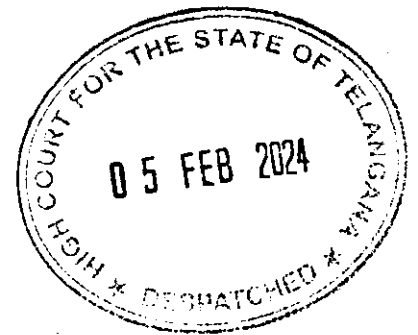
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HIGH COURT

KS, J

DATED: 30/01/2024



ORDER

CRLP.No.946 of 2024

**CRIMINAL PETITION IS
DISPOSED OFF**

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5/2/24
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