

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.1202 of 2025

Order:

This Criminal Petition, under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed by the petitioner/A3, seeking regular bail, in C.No.GEN/INT/14/2025-PREV-O/o COMMR-CCP-VIJAYAWADA, on the file of Customs Commissionerate (Preventive), Vijayawada, registered for the offences punishable under Sections 132 and 135(1)(b) of the Customs Act, 1962 and Section 480 of the Bharatiya Nyaya Sanhita, 2023.

2. Brief facts of the case are that, on 09.01.2025, on receipt of specific intelligence that certain group of persons were carrying smuggled gold of foreign origin without any valid documents in Train No.16382 (Pune Express) and going via Kadapa and Tadipatri, the officials of the Customs Preventive Commissionerate, Vijayawada, boarded different compartments viz., S1, S5, M1 and M3 of the said Train at Kadapa Railway Station and kept surveillance of certain group of suspected persons. During the surveillance in the above mentioned

compartments, the team of officers caught hold 11 accused and all of them confirmed and accepted that they were carrying smuggled gold with different quantities and weighments of foreign marked gold procured through illegal channel and another two persons of their group travelling in coach No.D1-59 and 63. During search of the accused, the officials found foreign origin gold of a quantity of 14,401.20 grams valued at Rs.11,55,69,630/-, which was illegally smuggled into India without payment of appropriate customs duties and the accused could not produce any documentary evidence proving legitimate import and/or purchase of the gold. The same was seized under cover of a panchanama and a case has been registered against the accused.

3. Heard. Perused the record.

4. Petitioner herein was arrested on 11.01.2025 and since then he is in judicial remand. Learned counsel appearing on behalf of the respondent submits that major portion of investigation has been completed.

5. In view of the aforesaid facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/A3 on the following conditions.

i) The petitioner/A3 shall be released on bail on his executing a personal bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like sum each to the satisfaction of the learned Special Judge for Economic Offences-cum-IV Additional District and Sessions Judge, Visakhapatnam.

ii) On release, the petitioner shall appear before the Customs Commissionerate concerned, once in a week i.e., on every Saturday between 10.00 am and 01.00 pm, till filing of the charge sheet.

iii) Petitioner shall cooperate with the investigation and that he shall not cause any threat, inducement or promise to the prosecution witnesses.

6. Accordingly, the Criminal Petition is allowed.

K. SREENIVASA REDDY, J

Dated:14.02.2025
Nsr/Tjn

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