

[3240]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE NINETEENTH DAY OF NOVEMBER,
TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI
CRIMINAL PETITION NO: 5062 OF 2020



Between:

K.Srinivasulu Reddy, S/o.Bayya Reddy, Age 35 years, Occ: Manager in Wine Shop,
R/o.Cheluru, Bagepalli Taluka, Chickballapura District, Karnataka State.

...Petitioner/Accused No.5

AND

The State of Andhra Pradesh, Rep. by Public Prosecutor, High Court of Andhra
Pradesh Amaravathi.

...Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in the Criminal Petition, the High Court may be pleased to direct the Station House Officer, P.T.M. Police Station, Chittoor District, to release the petitioner/accused on bail in the event of his arrest in connection with Crime No.138/2020 of P.T.M. Police Station, Chittoor District.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri D.Purnachandra Reddy, Advocate for the Petitioner and Public Prosecutor for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.5062 of 2020

ORDER:-

This petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking pre-arrest bail to the petitioner/accused No.5 in the event of his arrest in connection with Crime No.138 of 2020 of P.T.M. Police Station, Chittoor District, registered for the offence punishable under Section 8(b)(ii) of the Andhra Pradesh Prohibition Act, 1995.

2. The case of prosecution is that on 21.07.2020, on credible information regarding illegal transportation of liquor from the State of Karnataka, the Assistant Sub-Inspector of Police concerned along with staff went to the scene and observed that accused Nos.1 to 4, who are coming on their motor cycles from Karnataka State, were trying to escape. On interrogation, in the presence of the mediators, accused Nos. 1 to 4 confessed about commission of the offence and the Police seized 192 packets of liquor from them and they further confessed that they purchased the liquor from the petitioner. On the basis of the above complaint, the aforementioned crime was registered.

3. Heard Sri D. Purna Chandra Reddy, learned counsel for the petitioner, and learned Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submits that the petitioner is no way concerned with the alleged offence and that he has been falsely implicated in the case. He further submits that the petitioner is working as a manager in the shop, from which, accused Nos.1 to 4 purchased the liquor. He also submits that the said shop comes within the jurisdiction of

Karnataka State and it is being run under the guidelines and license issued by the said State and that the petitioner sold the liquor as per the rules and procedure applicable in the said State. He also submits that the petitioner has not committed any offence and that as a manager of the shop, he has discharged his duties and that he has no acquaintance with accused Nos.1 to 4.


5. Learned Public Prosecutor submits that the investigation is in progress and that in the complaint, the only allegation made against the petitioner is that he has sold the liquor to accused Nos.1 to 4 and except that nothing has been stated against him.

6. In the facts and circumstances of the case, since no specific allegation has been made in the complaint against the petitioner, this Court deems it appropriate to grant bail to him.

7. Accordingly, this Criminal Petition is allowed. The petitioner/accused No.5 shall be released on bail in the event of his arrest in connection with Crime No.138 of 2020 of P.T.M. Police Station, Chittoor District, on condition of his executing self bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for a likesum each to the satisfaction of the Station House Officer, P.T.M. Police Station, Chittoor District.

Consequently, miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- K. JAGANMOHAN
DEPUTY REGISTRAR

SECTION OFFICER,

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To,

1. The Station House Officer, P.T.M. Police Station, Chittoor District.
2. One CC to Sri. D.Purnachandra Reddy, Advocate [OPUC]
3. Two CCs to Public Prosecutor, High Court of AP [OUT]
4. One spare copy

MM

HIGH COURT

LKJ

DATED:19/11/2020

ORDER

CRLP.No.5062 of 2020

ALLOWED

