

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE NINETEENTH DAY OF JULY,
TWO THOUSAND AND TWENTY THREE



:PRESENT:

THE HONOURABLE SRI JUSTICE K SURESH REDDY

CRIMINAL PETITION NO: 4507 OF 2023

Between:

Shaik Jeelani Basha, S/o.G.Gouse Peera Aged about 48 years, Occ. Head Constable, R/o.H.No.4-149, Muthu Bazar, Yerraguntla, YSR Kadapa District.

...Petitioner/

Accused

AND

The State of Andhra Pradesh, Through the Deputy Superintendant of Police, Anti Corruption Bureau, Kadapa Range, Kadapa Rep by its Standing Counsel, High Court of Andhra Pradesh At Amaravathi.

...Respondent/

Complainant

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to release the Petitioner on bail in Cr.No.04/RCT-KDP/2023 on the file of ACB, Kadapa Range, YSR Kadapa District in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the memo of grounds filed in support thereof and upon hearing the arguments of Sri B SARVOTHAM REDDY, Advocate for the Petitioner, S M SUBHANI (SC FOR ACB AND SPL PP) for the Respondent, Court made the following

HON'BLE SRI JUSTICE K.SURESH REDDY

CRIMINAL PETITION No.4507 of 2023

ORAL ORDER:

Accused No.2 in Crime No.04/RCT-KDP/2023 on the file of Anti Corruption Bureau, Kadapa Range, YSR Kadapa District, filed the present petition, under Sections 437 & 439 Cr.P.C., seeking his enlargement on bail.

2. The above crime has been registered for the offences under Sections 7(ii) and 7(A) of Prevention of Corruption (Amendment) Act, 2018.

3. The case of the prosecution, in brief, is thus: On 19.06.2023, one G. Gangadhar Reddy lodged a report before the Deputy Superintendent of Police, Anti Corruption Bureau, Kadapa, stating that he used to load waste powder near stones factory at Yerraguntla in his goods transport lorry bearing registration No.AP 39 TH 6846 and transport the same to brick factories at Proddatur @ Rs.5,500/- per load and that accused No.1, who has been working as Inspector of Police, Yerraguntla, used to collect bribe from him for not causing any hindrance for movement of his vehicle and in the months of April and May, 2023, he paid Rs.26,000/- and Rs.13,300/- to accused No.1 directly and thereafter, accused No.1 instructed the defacto

complainant to send money through one Jeelani/accused No.2 (the petitioner herein), and accordingly, he paid Rs.18,000/-, out of the demand amount of Rs.26,600/-, to accused No.2 on 10.06.2023. The defacto complainant said to have recorded videos through secret camera while paying the amounts to accused No.1 and also recorded the conversations with accused Nos.1 and 2 on his mobile phone. Basing on the said report, the present crime has been registered. After drafting pre-trap proceedings in the office of Deputy Superintendent of Police, ACB, a trap was arranged, in which, the trap party caught hold of accused No.2 while receiving the remaining bribe amount of Rs.8,600/- from the defacto complainant, so as to hand over the same to accused No.1, and the chemical test conducted on the fingers and mobile phone of accused No.2 yielded positive results. The tainted amount was recovered from the possession of accused No.2, who confessed that he received the amount on behalf of accused No.1. Both the accused Nos.1 and 2 were arrested and were remanded to judicial custody on 21.06.2023.

4. Learned counsel for the petitioner contends that to score grudge against accused No.1, the petitioner has been falsely implicated in the present case. He further submits that the petitioner is in judicial custody since 21.06.2023 and considering the circumstances, the petitioner may be enlarged on bail.

5. On the other hand, learned Standing Counsel-cum-Special Public Prosecutor for ACB opposes the application.

6. This Court has considered the matter and perused the entire material available on record. In view of the fact that the petitioner is in judicial custody since 21.06.2023 and as major portion of the investigation appears to have been completed, this Court is of the opinion that the petitioner can be enlarged on bail.

7. Accordingly, this criminal petition is allowed and the petitioner is directed to be released on bail on his executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the learned Special Judge for Trial of SPE & ACB Cases, Kurnool.

SD/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

For

SECTION OFFICER

To,

1. The Special Judge for Trial of SPE & ACB Cases, Kurnool.
2. The Superintendent, District Prison, Kurnool.
3. The Deputy Superintendent of Police, Anti Corruption Bureau, Kadapa Range, YSR Kadapa District.
4. One CC to SRI. P NAGENDRA REDDY, Advocate [OPUC]
5. One CC to SRI. S M SUBHANI (SC FOR ACB AND SPL PP) Advocate [OPUC]
6. Two CCs to Public Prosecutor (AP) High Court of Andhra Pradesh [OUT]
7. **One spare copy**

CVSS

HIGH COURT

KSRJ

DATED:19/07/2023

BAIL ORDER

CRLP.No.4507 of 2023

ALLOWED

