



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE THIRTIETH DAY OF MAY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE V SRINIVAS
CRIMINAL PETITION NO: 3746 OF 2024

Between:

Pamidi Venkateswarlu, S/o Musalaiah Aged about 52 years, Occ-Business
R/o 8-22A, Ward 8, Kunamneni Vari Palem Chimakurthi, Chimakurthy,
Prakasam District.

...Petitioner/Accused No.2

AND

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

...Respondent/Complainant

Petition under Section 438 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 by granting
anticipatory bail in the event of his arrest in Crime No. 103/2024, on the file of
the Special Enforcement Bureau Station, Prakasam, Chimakurthy, Prakasam
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 INAKOLLU VENKATESWARLU Advocate for the Petitioner,
and of PUBLIC PROSECUTOR, for the Respondent, the Court made the
following

THE HONOURABLE SRI JUSTICE V. SRINIVAS

CRIMINAL PETITION No.3746 of 2024

ORDER:-

The Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed on behalf of the petitioner/Accused No.2 to grant anticipatory bail in connection with Crime No.103 of 2024 of Chimakurthy SEB Station, Prakasam District, for the offence under Section 34(a)(1)(ii) of the A. P. Excise (Amendment) Act, 2020.

2) Brief facts of the case are that, on 28.04.2024, on credible information about illegal storage of NDP liquor bottles in Yerragudipadu Village of Chimakurthy Mandal, proceeded to a cow shed of A1 and found 1001 liquor bottles. On enquiry, A1 revealed that A2 supplied the said liquor bottles along with some more bottles for distributing in view of elections. The contraband was seized under the cover of mediators report and A1 was remanded to judicial custody.

3) Heard the learned counsel for the petitioner and Mr. K. Anand, learned Assistant Public Prosecutor appearing for the respondent.

4) Learned counsel for the petitioner submits that basing on the alleged confessional statement of Accused No.1, the present

petitioner was implicated in the case. Except the said confessional statement, there is no other material to connect the petitioner herein with the crime. Therefore, learned counsel prays to allow the petition.

5) Learned Assistant Public Prosecutor vehemently opposed to grant the bail to the petitioner as lot of material is yet to be collected and there is every chance of tampering with the material by the petitioner, if he is released on bail.

6) As could be seen from the material available on record, the prosecution filed the case against the petitioner herein basing on so-called confession statement of A1. However, considering that except the confessional statement of Accused No.1, there is no other material against the petitioner. It is not the case of the prosecution that the petitioner was caught with the contraband at the scene of offence. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

7) In view of the above, Criminal Petition is allowed. Petitioner is directed to surrender before the Chimakurthy SEB Station, Prakasam District, within 15 days from the date of this order. On such surrender, the petitioner shall be released on bail on executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer. Further, on such

release, the petitioner shall abide by the conditions mentioned under Section 438(2) Cr.P.C., as under:

1. The petitioner shall make himself available for interrogation by a police officer as and when required.
2. The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and
3. The petitioner shall not leave India without prior permission of the Court.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

Sd/- N. NAGAMMA
ASSISTANT REGISTRAR

//TRUE COPY//

For /


SECTION OFFICER

To,

1. The Special Judicial First Class Magistrate Court for Prohibition & Excise, Ongole, Prakasam District
2. The Station House Officer, Special Enforcement Bureau Station, Chimakurthy, Prakasam District
3. One CC to SRI. INAKOLLU VENKATESWARLU Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
5. One spare copy

PSR

HIGH COURT

SV,J

DATED:30/05/2024

ANTICIPATORY BAIL ORDER

CRLP.No.3746 of 2024

ALLOWED

