

**HON'BLE SRI JUSTICE K. SREENIVASA REDDY**

**Criminal Petition No.7967 of 2022**

**Order:**

This criminal petition, under Section 438 Cr.P.C. has been filed by the petitioners/A3, A4 and A6 in Crime No.109 of 2022 on the file of Santhanuthalapadu Police Station, Prakasam district, registered for the offences punishable under Sections 143, 420, 464, 465, 467, 468, 471 read with 149 IPC, Section 66 of the Information Technology Act, 2000-2008 and Section 26(1) of the MMRD Act, seeking anticipatory bail.

2. The above case has been registered against the petitioners herein and others. Brief allegations are that on 18.09.2022 at about 08.00 AM the officials of Mines and Geology Department intercepted the container lorry bearing registration No.TN 18 BA 8661 carrying black Galaxy Granite Slabs to Chennai Port. On verification, the driver of the container lorry produced original mining transit pass bill having MDLA No.1827881. On verification of the said mining bill it goes to show that it is not genuine and the same is fake one. In respect of that a case in Crime No.109 of 2022 has been registered as against the petitioners herein and others.

3. Learned counsel for the petitioners submits that the petitioners are employees of the Firm and only to circumvent the provisions of Section 41A Cr.P.C, the offence under Section 467 IPC has been added to the said Crime. If the petitioners are arrested, they will suffer irreparable loss.

4. On the contrary, learned Assistant Public Prosecutor contended that *prima facie* the offence under Section 467 IPC is made out for the reason that fake bill has been produced by the driver which has been issued by the petitioners herein, and by virtue of the same, the State is incurring huge losses.

5. Heard. Perused the record.

6. The driver of the vehicle has produced bill which is found to be a fake one. The petitioners are only the employees of the said Firm. In view of the aforesaid facts and circumstances of the case, this Court is inclined to order as follows.

7. In the event of arrest of the petitioners/A3, A4 and A6, they shall be enlarged on bail on their executing personal bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties of the like sum each to the satisfaction of the concerned Arresting Officer. After release, the petitioners shall make themselves available for interrogation by a police officer as and when required, and they 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.

8. The Criminal Petition is, accordingly, allowed.

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**K. SREENIVASA REDDY, J.**

Date:19.10.2022

Nsr

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