

THE HON'BLE Ms. JUSTICE B S BHANUMATHI
Criminal Petition No. 667 of 2023

ORDER:

This Criminal Petition is filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioner/A1 in Crime No.89 of 2022 of Mylavaram Police Station, YSR Kadapa District for the offences under Section 379, 353, 307, 120(B), 109 R/W 149 I.P.C., Sec.20(i)(c)(ii)(iii)(iv)(vi)(x) AP Forest Act (Amendment act 2016) (AP Act No-15 of 2016), Sec. 20(D)(1)(a)(b)(2) (a)(b), Sec.29(2)(b)(4) (a)(i)(ii)(b) AP Forest Act (Amendment Act 2016) (AP Act No. 15 of 2016), Rule 3 of AP Sandal wood & Red sandal wood Transit Act, 1969, Sec.3 of PDPP Act, 1984 and Sec. 51 of Wild Life Protection Act, 1972 .

The case of the prosecution is briefly that A1 to A4 were caught red handed while carrying fifteen (15) logs of red sandal from the forest in a vehicle on 30.07.2022 and that the petitioner is the man behind organising everything in association with A1 to A4 by arranging vehicle and all these four accused confessed that the petitioner made phone calls to them. Learned counsel for the petitioner submitted that since the offence occurred on 30.07.2022, by now, the material part of the investigation

Contd...

might have been completed, yet no material evidence is placed to implicate the petitioner in the alleged offence and therefore they may be granted anticipatory bail.

Sri K. Anand Kumar, learned Assistant Public Prosecutor representing the respondent, opposed the petition stating that the investigation is still pending and due to gravity of the offence some of the investigation could not progress. He further submitted that the petitioner is involved not only in this crime but also in another crime No.168 of 2014 registered under Section 302 read with Section 34 I.P.C. of Produttur Rural Police and has criminal history and therefore it is not a fit case for granting anticipatory bail. He further stated that as per the instructions to him, the petitioner is a habitual offender, associated with national and international smugglers.

Considering the submission and perusing the record, this Court is of the view that it is not a case fit for granting anticipatory bail or show any other leniency.

Accordingly, this Criminal Petition is dismissed.

Contd...

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

B S BHANUMATHI, J.

08.02.2023

MVK

72

THE HON'BLE Ms. JUSTICE B S BHANUMATHI

CRLP.No. 667 of 2023

08.02.2023

MVK