

**HON'BLE SRI JUSTICE T. SUNIL CHOWDARY**

**CRIMINAL PETITION No.6371 of 2017**

**ORDER:**

This criminal petition is filed, by the petitioner-accused No.2, under Section 438 Cr.P.C., seeking pre arrest bail in P.C.O.R.No.67 of 2017 on the file of the Station House Officer, Kosgi Police Station, Mahabubnagar District.

2. The facts leading to file the present petition are that the petitioner, who is a license holder of toddy shop, mixing alprazolam in the toddy and selling the same to the customers. Initially, the case was registered under Section 27(1) of A.P.Excise Act, and after receiving the F.S.L. report, Section 8(c) read with 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act') was added.

3. The petitioner filed CrI.M.P.No.420 of 2017 on the file of the I-Additional Sessions Judge, Mahabubnagar, under Section 438 Cr.P.C., and the same was dismissed on 06.07.2017.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor representing the State.

5. A perusal of the record *prima facie* reveals that the petitioner is selling adulterated toddy to the customers in violation of Excise Rules.

6. Taking into consideration the gravity of the offence alleged to have been committed by the petitioner, this Court is of the considered view that it is not a fit case to grant pre arrest bail to the petitioner.

7. Accordingly, the criminal petition is dismissed.

**T.SUNIL CHOWDARY, J**

24<sup>th</sup> August 2017

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