

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO.353 of 2015

ORDER :

The petitioner/A21 in P.R.C.No.2 of 2012 on the file of I Additional Judicial First Class Magistrate, Khammam (Crime No.85 of 2006 of Garla Police Station, Bayyaram, Khammam), filed the present application under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in the above crime registered for the offences punishable under Sections 147, 148, 307,324,506 r/w 149 I.P.C. Section 25(i)(a) I.A.Act and 8(1) of APPS Act.

Originally, a case in Crime No.85 of 2006 of Garla Police Station, Bayyaram, was registered against the petitioner and others. The petitioner was arrested in the year, 2007 and thereafter he was released on bail. As the petitioner did not appear before the Court, a non-bailable warrant is said to have been issued on 23.04.2012 and the same was executed by the police on 18.11.2014. Since then the petitioner is in jail.

Learned counsel for the petitioner submits that the petitioner could not appear before the Court due to illness of his wife and death of his son.

Learned Public Prosecutor strongly opposed the petition. According to him, if the petitioner is released on bail, it is very difficult to secure his presence.

A perusal of the material on record would show that no document is filed by the petitioner showing the illness of his wife and death certificate to show the date of death of his son.

Having regard to the fact that the petitioner has evaded process of law for nearly two years, though he was aware about the

proceedings in the Court, I am not inclined to release the petitioner on bail at this stage.

Accordingly, the Criminal Petition is dismissed. However, the learned Magistrate is directed to commit the case to the Court of Sessions and the learned Sessions Judge is advised to dispose of the case as expeditiously as possible, preferable within three months from the date of receipt of a copy of this order, failing which the petitioner is at liberty to renew his request.

JUSTICE C. PRAVEEN KUMAR

09.02.2015
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