

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

CRIMINAL PETITION No.2466 of 2015

ORDER:

The petitioner, who is accused No.1, filed this Criminal Petition under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with Crime No.90 of 2013 of II Town Police Station, Proddatur, Y.S.R Kadapa District, registered for the offences punishable under Sections 406, 467, 468 read with 34 IPC.

A charge sheet came to be filed against the petitioner and others which was taken on file as CC No.417 of 2014 on the file of I Additional Judicial First Class Magistrate, Proddatur and thereafter NBWs came to be issued against the petitioner.

The material on record discloses that earlier the petitioner approached this Court under Section 438 Cr.P.C seeking anticipatory bail, which was rejected. Though the said order came to be passed on 05.09.2013 till date the petitioner did not make himself available to the Investigating Agency. Nearly 1 ½ year later, the petitioner moved this Court again under Section 438 Cr.P.C on the ground that the investigation is completed and charge sheet is filed.

A perusal of the averments of Charge sheet would show that the petitioner without having any right to alienate the land, sold away the land to Sri Krishna Geetha Ashramam for consideration of Rs.40,000/- and registered the same in favour of accused No.2.

Having regard to the fact that Non-bailable warrants are still pending for execution and since the charge sheet is filed long back, this Criminal Petition is disposed of, by directing the petitioner to surrender before the concerned Court and make a suitable application, in which event the same shall be dealt with on merits in accordance with law either on the same day or atleast by next day.

C. PRAVEEN KUMAR, J

Date:30.03.2015

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