

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO.435 of 2015

ORDER :

The petitioner/A1 in P.R.C.No.17 of 2012 in Crime No.14 of 2012 of Godavarikhani I Town Police Station, 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 302 and 201 I.P.C.

A perusal of the material on record would show that crime No.14 of 2012 was initially registered under Section 306 I.P.C. and subsequently altered to Sections 302 and 201 I.P.C. In the said case, the petitioner was arrested on 16.02.2012 and thereafter he was released on bail in the month of May, 2012. Subsequently, another crime came to be registered against the petitioner vide crime No.119 of 2012 of Godavarikhani I Town Police Station for the offence punishable under Section 307 I.P.C. on 18.05.2012. After his release on bail in the month of May, 2012, the petitioner failed to appear before the Court, though charge sheet was filed in October, 2012 itself. With great difficulty, the police arrested the petitioner in the month of October, 2014. The explanation given in the application seeking bail is that the petitioner could not attend the court due to his ill health. An application filed before the trial Court, seeking release was rejected. Challenging the same, the present application is filed.

The reason given by the petitioner for non-appearance in the Court was due to his ill health. But no scrap of paper is filed before the Court to show the nature of sickness with which he was suffering. In the petition filed before this Court, the petitioner does not even refer to the nature of ailment, the period of sickness and

the treatment taken etc., Since the petitioner evaded the process of law for over two years and the reason given for his absence is not substantiated by any material, I am not inclined to release the petitioner on bail.

Accordingly, the Criminal Petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

09.02.2015

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