

**HON'BLE SRI JUSTICE RAJA ELANGO**

**Criminal Petition No.5363 of 2015**

**ORDER:**

This criminal petition is filed by the petitioner/accused No.2, under sections 437 and 439 Cr.P.C., seeking bail in Crime No.298 of 2013 of Anakapalle Town Police Station, Visakhapatnam, registered for the offences punishable under Sections 489(B)(C), 120(B) and 420 read with Section 511 I.P.C.

This petition is preferred by the petitioner invoking the provisions under Sections 437 and 439 Cr.P.C., but on a reading of the order of the lower court and also from the facts it is clear that the petitioner is so far not arrested or remanded to judicial custody by issuing Prisoner Transfer Warrant. Hence, this petition is not maintainable at this stage.

Accordingly, the Criminal Petition is dismissed.

---

23<sup>rd</sup> June, 2015

skmr

RAJA ELANGO, J.