

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.5451 OF 2015

ORDER:

This criminal petition under Sections 437 and 439 of the Code of Criminal Procedure is filed by the petitioner/A.3 seeking grant of bail in S.C.No.97 of 2010 on the file of the Mahila Sessions Judge, Vijayawada, arising out of a complaint registered under Sections 302, 307, 364, 201, 427, 379, 120 B read with Section 34 IPC.

Heard.

Learned counsel for the petitioner/A.3 submits that the petitioner may be released on bail on the ground that the petitioner wants to establish his innocence by way of examining some witnesses.

This Court is of the view that the petitioner has filed the present criminal petition seeking bail at the fag end of the trial. If it is the view that the petitioner wants to examine some persons to prove his innocence, he is at liberty to move an application before the Court below informing the persons to be examined as defence witnesses and the materials to be produced by the said witnesses, and the trial Court is directed to allow the application. If the witnesses fail to produce the material, the petitioner is at liberty to inform the same in the open Court and get adjournment and also examine them further to establish his innocence. If the petitioner apprehends threat in the hands of the respondent/police, he is also at liberty to file an application seeking protection by some third party agency, which is not related to the investigation agency.

This Court is not inclined to grant bail at this stage, more particularly, at the fag end of the trial and that it would certainly cause prejudice to the further proceedings before the Court below. The petitioner is given liberty to move an application for bail after completion of trial.

With the above observations, the criminal petition is dismissed.

JUSTICE RAJA ELANGO

26.06.2015
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