

THE HONBLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO.2211 of 2015

ORDER :

The petitioner/A5 in Sessions Case No.79 of 2014 on the file of Assistant Sessions Judge, Proddatur, YSR Kadapa District filed the present application under Sections 437 and 439 Cr.P.C. seeking release on bail in the above case, which was taken on file for the offences punishable under Sections 147, 148, 149, 307, 326, 354, 324, 427 and 452 of IPC.

A perusal of material available on record would disclose that the petitioner along with three others were granted bail by the Sessions Court with a condition that the petitioner shall report before the concerned police. The petitioner complied with the said condition for some time, but later failed to attend to the police station. Hence, the police filed an application seeking cancellation of bail, which was allowed on 07.03.2013. The petitioner filed Cr.P.No.1742 of 2013 seeking bail before this Court. By an order dated 11.10.2013, this Court allowed the petition and released him on bail on certain conditions. The record reveals that the petitioner after obtaining bail from this Court, did not comply with the conditions from 23.03.2014 to 30.11.2014. Hence, the learned Public Prosecutor filed CrI.M.P.No.433 of 2014 seeking cancellation of bail. After hearing both sides, the said application was allowed on 18.12.2014 and NBW was issued. Pursuant to the issuance of NBW, the petitioner appeared before the Court on 05.02.2015 and filed an application stating that from 18.06.2014 he was suffering from Jaundice and taking treatment at Dr S.Pulla Reddy Hospital, Pulivendula. The Court disbelieved the version of the petitioner and dismissed the application. Thereafter, he filed CrI.M.P.No.107 of 2015 seeking bail. The same was rejected by the Court on the ground that there is every chance to jump bail and that the trial is getting delayed due to the absence of the petitioner.

Learned counsel for the petitioner submitted that the petitioner is a student and hence his request may be considered.

As seen from the conduct of the petitioner, it is evident that even though on two occasions bail was granted the petitioner with conditions, he failed to comply with the orders passed by the Court. The reason given by the petitioner was also found to be without any basis. Therefore, I do not see any ground to grant bail to the petitioner at this stage. Though the petitioner claims to be a student, it appears that he has no regard for the law.

Accordingly, the criminal petition is dismissed. However, the learned Sessions Judge is advised to dispose of the case as expeditiously as possible within a period of three months from the date of receipt of the order, failing which the petitioner can renew the bail application before the trial Court.

JUSTICE C. PRAVEEN KUMAR

Date: 23.03.2015

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