

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.15999 of 2014

ORDER:

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The petitioner, who is accused No.16, filed the present Criminal Petition under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in P.R.C.No.16 of 2013 on the file of the Special Judicial Magistrate of First Class-cum-Excise Court, Visakhapatnam. A charge sheet came to be filed against the petitioner and others for the offences punishable under Sections 147, 148, 395, 436, 324 and 506 read with 149 IPC.

At the time of arguments, the learned counsel for the petitioner submitted that the petitioner sought bail on health grounds. Pursuant to which a report was called for. The report sent by the jail authorities would show that the condition of the petitioner is stable and he is being given treatment.

Learned counsel for the petitioner submits that though the condition of the petitioner is stable, but there is continuous formation of puss in the body due to a foreign metallic body and the need to be removed. However, he seeks permission to withdraw the application with a liberty to file a fresh application before the Court concerned on medical grounds as the said Court would be in a position to get instructions from the jail authorities and see the condition of the accused when he is produced for extension of remand.

Permission as sought for is accorded.

Accordingly, the Criminal Petition is dismissed as withdrawn, with a liberty to move an application on medical grounds before the appropriate Court, which shall be dealt with in accordance with law. As a sequel thereto, Miscellaneous Petitions, if any, pending in this Criminal Petition, shall stand dismissed.

JUSTICE C. PRAVEEN KUMAR

23.01.2015

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