

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.12764 of 2016

ORDER:

- 1) The petitioner, who is the sole accused, filed the present Criminal Petition under Section 438 Cr.P.C., seeking release in the event of his arrest in Crime No.215 of 2015 of Visakhapatnam II Town Police Station, registered for the offences punishable under Sections 384 and 506 IPC.
- 2) The case of the prosecution is that on 27.05.2015 at about 9.30 p.m. when the informant was proceeding towards Jagadamba center on foot, when he reached Paradise Bar, the petitioner all of a sudden approached him and is alleged to have demanded money to consume liquor and threatened him with a broken beer bottle, due to which the informant gave Rs.1500/- to the petitioner and the petitioner left the place. Basing on these allegations the above case came to be registered.
- 3) Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the respondent-State.
- 4) Learned counsel for the petitioner submits that the petitioner is not aware about the crime being registered against him and the allegations in the report are all false and incorrect. He further submits that the petitioner is innocent of the offence.
- 5) Learned Public Prosecutor opposed the application.

6) It is to be noted that though the crime was registered in the month of May, 2015, the police have were not made any effort to arrest the petitioner till date. As seen from the record, the petitioner is involved in Crime No.79 of 2014 for an offence punishable under Section 307 IPC and also in Crime No.215 of 2015. A rowdy sheet was also opened against him. The averments in the report disclose that the petitioner is alleged to have demanded money and also threatened to kill him with broken beer bottle if the informant fails to give money. In view of the nature of allegations made against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. However, the petitioner, if so, advised, shall surrender and move an application for regular bail before the Court concerned, in which event the same shall be considered in accordance with law either on the same day or at the earliest.

7) Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

09.09.2016
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