

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO.1643 of 2016

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ORDER:

Heard the leaned counsel for the petitioner and the learned Public Prosecutor.

2. The petitioner/Accused filed the present application under Section 438 Cr.P.C seeking release on bail in the event of his arrest in connection with Crime No.117/2015 of Dahegaon Police Station, Adilabad District, registered for the offence punishable under Section 409 I.P.C.

3. A perusal of the material on record shows that earlier the petitioner filed CrI.P.No.9584 of 2015 before this Court seeking quash the proceedings in Crime No.77 of 2015 of Dahegaon Police Station. By an order, dated 16.09.2015, this Hon'ble Court disposed of the petition giving liberty to the petitioner to surrender before the Magistrate concerned and move for regular bail with notice to the A.P.P concerned. The material placed before this Court further show that the petitioner also filed CrI.P.No.13953 of 2015 before this Court seeking to grant Anticipatory bail in the present Crime in Cr.No.117 of 2015. By an order, dated 05.01.2016, this Hob'ble Court dismissed the said petition. This Court in CrI.P.No.9584 of 2015 directed the petitioner to surrender himself before the concerned Magistrate and obtain bail. Thereafter, the present crime came to be registered in the very same police station.

4. Having regard to the nature of allegations made; as this Court already rejected the bail application of the petitioner and there being no changed circumstances, the request of the petitioner cannot be considered, but, however, he shall surrender himself before the concerned Court and make an application for grant of bail, after giving prior notice to learned Public Prosecutor, in which event, the same shall be considered in accordance with law either on the same day or at the earliest.

5. With the above direction, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

17.02.2016
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