

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

-
CRL.P.NO.11051 OF 2016

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ORDER

This petition is filed under Sections 437 and 439 of Cr.P.C. seeking to release the petitioners, who are A-1 to A-4, on bail in connection with Crime No.118/2016 of Station House Officer, II Town Police Station, Nandyal, Kurnool District, registered against them for the offence punishable under Sections 302 read with 34 IPC.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor for the respondent – State.

3. The petitioners earlier filed Crl.P.No.9325/2016 seeking bail and this court by order dated 12.7.2016 dismissed the said petition. The order reads thus:

“This petition is filed by the petitioners – accused Nos.1 to 4 under Sections 437 and 439 Cr.P.C. seeking to grant bail to them in Crime No.118 of 2016 on the file of II Town Police Station, Nandyal, Kurnool District, registered for the offences punishable under Sections 302 read with 34 IPC.

Heard and perused the material available on record.

It is alleged that A3 and A-4 caught hold of the deceased, who is the husband of the de facto complainant, and A1 and A2 stabbed him with knives.

Learned counsel for the petitioners submitted that the petitioner did not stab the deceased and that the deceased was in the habit of consuming alcohol and under the influence of alcohol, he fell on the floor and received head injury and while undergoing treatment, he died and that the petitioners were arrested on 25.5.2016 and since then, they have been in prison and that the entire case is based on circumstantial evidence.

Learned Additional Public Prosecutor, while opposing this petition, submitted that the investigation so far done reveals the participation of the petitioners in the above crime and that the investigation has not yet been completed.

Considering the facts and circumstances of the case and the submissions made by the learned Additional Public Prosecutor, this Court is not inclined to grant bail to the petitioners at this stage.

Accordingly, the Criminal Petition is dismissed.”

4. As per the submissions of the learned counsel for the petitioners, I do not find any changed circumstances or any justifiable reason to grant bail to the petitioners at this stage. The learned Public Prosecutor submits Section

161 Cr.P.C. statements of some of the witnesses recorded during the course of investigation, reveals the involvement of the petitioners in the crime. Hence in these circumstances, I am not inclined to grant bail to the petitioners.

6. However, the petitioners are at liberty to move application before the appropriate Sessions Court seeking bail, in which event, the same shall be considered on merits, uninfluenced by any of the observations, made by this court while rejecting the bail petitions.

7. With the above observation, the criminal petition is disposed of.

8. Miscellaneous petitions pending if any, shall stand closed.

02—08—2016

AVS