

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.13556 of 2016

ORDER:

The petitioner, who is accused No.1, filed the present application under Sections 437 and 439 of the Code of the Criminal Procedure (Cr.P.C.), seeking enlargement on bail in Sessions Case No.477 of 2010 on the file of the Assistant Sessions Judge, Chirala, for the offence punishable under Section 397 IPC.

Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor.

A perusal of the material on record would reveal that the petitioner was released on bail in the year 2001 but subsequently he failed to appear before the Court as such NBW came to be issued. Thereafter, in the year 2014 he was arrested in crime No.195 of 2014 of Chirala II Town Police Station registered for the offences punishable under Sections 454 and 380 IPC. On 30.10.2015 the petitioner was produced in this case on execution of PT Warrant and since then he is in jail.

Learned counsel for the petitioner submits that the petitioner is a labourer, as such he moved to a far place in search of employment. The same is opposed by the learned Additional Public Prosecutor contending that if the petitioner is released on bail, there is every likelihood of he evading the process of law once again having regard to his conduct.

As seen from the record, for the last 14 years, the petitioner has successfully evaded the process of law. Only in the year 2015, he was produced on PT warrant in this case. Having regard to the facts in issue and taking into consideration the apprehension of the learned Additional Public Prosecutor that there is every likelihood of petitioner evading the process of law, if he is enlarged on bail, I am not inclined to grant bail to the petitioner. However, as the crime is of the year 2001, the trial Court is directed to complete the trial and dispose of the case as early as possible, preferably within a period of three months from the date of receipt of a copy of this order. It is made clear that in case the trial could not be completed as directed by this Court, the petitioner is at liberty to renew his application for grant of bail before the Sessions Court, in which event, the same shall be considered, in accordance with law.

Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

20.09.2016
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Note : Communicate a copy of this order
to the trial Court forthwith.

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