

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

[Special Original Jurisdiction]

MONDAY THE FIFTH DAY OF DECEMBER
TWO THOUSAND AND SIXTEEN

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION NO. 15361 OF 2016

Between:

Sri Priyanaka Agro Enterprises Pvt.Ltd.
Rep. by its Manager, Sri N. Ravi Kumar,
R/o Sy.No. 1681, Chandrasekhjarapuram
h/o Kammapalem, Kodaval;ur Mandal,
Nellore district. ... Petitioner/defacto complainant

V/s.

Kondragunta Suresh Ors. ... Respondents

Counsel for the Petitioner: Sri Raja Reddy Koneti

Counsel for the Respondent: Sri Ch.C.Krishna Reddy for R-1 & R-2
Public Prosecutor [AP] for R-3

The court made the following: [order follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION NO. 15361 OF 2016

ORDER :

This Criminal Petition is filed by the petitioner/defacto complainant seeking to cancel the bail granted to the accused/respondents 1 and 2 in CrI.MP.No. 1029 of 2016 dated 29/9/2016 by the Special Judge for Trial of offences under SCs and STs [POA] Act, 1989-cum-V-Additional Sessions Judge, Nellore, in Crime No. 68 of 2016 of Kodavalur Police Station, SPSR Nellore district.

2. Pursuant to orders dated 14/11/2016 and 23/11/2016, Sri Ch.C. Krishna Reddy, learned counsel appeared on behalf of the respondents 1 and 2 [Accused] and submitted that in the present case charge sheet has been filed and the case is posted for trial. There is no allegation of violation of bail granted to the respondents 1 and 2 and the trial will take substantial time to conclude, therefore, there is no ground to cancel the bail.

3. Learned counsel appearing on behalf of the petitioner submits that the court below granted bail to the respondents 1 and 2 herein. Respondent No.2 is the father-in-law and respondent No.2 is son-in-law. Respondent No.1 was bed ridden, therefore, he was granted bail. However, there was no occasion to grant bail to respondent No.1. The court below recorded in its bail order that nobody was there to look after respondent No.2 and for the aforesaid purpose bail was granted to respondent No.2.

4. He further submits that other family members can look after respondent No.2, therefore, the bail of the respondent No.1 may be cancelled.

5. Granting bail to any of the accused is the discretionary power of the Court. The present case was registered for the offences punishable under section 467, 468, 471 and 420 of IPC by the Police Kodavalur Police Station, Nellore district. Since the charge sheet has been filed, there is no chance of tampering with the

evidence and the trial will take its own time, therefore, there is no purpose to cancel the bail when once granted by the court below.

6. Finding no merit, this Criminal Petition is accordingly dismissed.

7. As a sequel, miscellaneous petitions if any pending in these Criminal Petitions shall stand disposed of.



JUSTICE SURESH KUMAR KAIT.

05/12/2016
I s L

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION NO. 15361 OF 2016
(DISMISSED)



Date: 05/12/2016
Circulation No.
Court Master: I s L