

**THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**CRIMINAL PETITION No.1662 OF 2016**

**ORDER:**

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

2. The present Criminal Petition came to be filed under Sections 437 and 439 of the Code of Criminal Procedure, 1973, seeking enlargement of the petitioner/accused No.56 on bail in P.R.C.No.146 of 2014 on the file of the Special Judicial Magistrate of I Class (Prohibition and Excise), Viskhapatnam, in Sessions Case No.188 of 2015 on the file of the Metropolitan Sessions Judge, Visakhapatnam, which arose out of Cr.No.17 of 2008 of G.K.Veedhi Police Station, Visakhapatnam, registered for the offences punishable under Sections 147, 148, 307, 302, 396 read with 149 of the Indian Penal Code, 1860, Section 27 of the Indian Arms Act, Sections 3 and 5 of the Explosive Substances Act, 1908, Section 8(1)(b) of the Andhra Pradesh Public Security Act and Sections 15, 16, 18 18(a), 20 and 39 of the Unlawful Activities (Prevention) Act, 1967.

3. The gist of the prosecution case is that on 28.05.2008 at 5:30 A.M., about 70 to 80 members of banned CPI Maoists way laid the forest area near Gunukurai Village in G.K. Veedhi Police Station limits and blasted two land mines against the police party, which was passing in the area, resulting the death of one Head Constable, a Senior Commando, 10 C crew of greyhounds and four Maoists.

4. A perusal of the record show that earlier on 04.08.2015 and on 08.10.2015 this Court dismissed Criminal Petition Nos.7101 of 2015 and 10191 of 2015 respectively filed by the petitioner. As there are no changes in the circumstances, the request of the petitioner cannot

be considered at this stage.

5. It is stated that the split up case against other accused ended in acquittal and as such, a direction may be given to the trial Court to dispose of the case at the earliest.

6. Having regard to the facts and circumstances of the case, the Criminal Petition is dismissed. However, the trial Court i.e., Metropolitan Sessions Judge, Visakhapatnam, is directed to complete the trial in Sessions Case No.188 of 2015 at the earliest preferably within a period of three (03) months from the date of receipt of a copy of this order. In case, the trial Court fails to complete the trial within the time stipulated, the petitioner is at liberty to renew the request before the Sessions Court.

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**JUSTICE C. PRAVEEN KUMAR**

Date:17.02.2016

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