

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.12170 OF 2016

ORDER:

The petitioner, who is the accused in Crime No.112 of 2016 of Alipiri Police Station, Tirupati, Chittoor District, filed this criminal petition, under Section 438 of Cr.P.C., seeking release, in the event of his arrest in connection with the said crime registered for the offences punishable under Sections 448, 354-D, 506 and 509 of IPC.

Learned counsel for the petitioner would submit that a perusal of the averments in the F.I.R. would show that the offences alleged against the petitioner are all bailable offences.

The said fact is not disputed by the learned Public Prosecutor appearing for the respondent - State.

It is also not in dispute that if an accused is charged for the offence punishable under Sections 354-D of IPC, for the first time, it is a bailable offence. The trial Court dismissed the application for anticipatory bail on merits. The issue as to the maintainability of an application for anticipatory bail was never gone into. Since all the offences alleged are bailable in nature, the question of granting anticipatory bail would not arise.

Accordingly, the petitioner/Accused shall surrender before the Court concerned and move an application seeking bail, after giving prior notice to the learned Public Prosecutor, in which event, the petitioner/Accused shall

be released on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the said Court.

Subject to the above direction, this Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

23.08.2016.

Msr

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