

THE HON'BLE SRI JUSTICE C.PRAVAEEN KUMAR

-
CRL.P.NO.10558 OF 2016

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ORDER

This petition is filed under Sections 437 and 439 of Cr.P.C. seeking release of the petitioner, who is A-1, in Crime No.232/2012 of Amlapuram Police Station, East Godavari District, registered for the offences punishable under Sections 364-A, 384, 302, 120(b) read with 34 IPC.

A perusal of the material on record discloses that the petitioner herein earlier filed before court Crl.P.No.7439/2015, which was dismissed on 6.8.2015 as withdrawn. He also filed Crl.P.NO.8882/2015 and the same was dismissed on merits on 7.9.2015. Again he filed Crl.P.No.11964/2015, which was dismissed on 23.11.2015. He then filed Crl.P.No.14243/2015 and the same was dismissed on 18.1.2016 for non-prosecution. He also filed Crl.P.No.1243/2016 and the same was dismissed on 9.2.2016. Subsequently, he filed Crl.P.No.4055/2016 and the same also came to be dismissed on 1.4.2016. Thereafter, he filed another petition in Crl.P.No.7283/2016 and the same also came to be dismissed on 3.6.2016. Now he filed the present petition for bail.

The learned counsel for the petitioner submits that all the bail petitions, which were dismissed, were filed prior to filing of the charge sheet and now the present petition is filed after filing of the charge sheet. He stated that though in one of the orders dated 1.4.2016, it was represented that the charge sheet was filed, in fact, a copy of the charge sheet was neither furnished to the petitioner, nor filed in the court. Hence seeks permission to move the lower court for bail.

In view of the submission of the learned counsel for the petitioner and as the earlier bail petitions came to be dismissed prior to the filing of the charge sheet, liberty is granted to the petitioner to approach the lower court seeking bail, in which event the same shall be considered on merits, uninfluenced by any of the observations made by this court or trial court in rejecting the earlier bail petitions.

The criminal petition is accordingly disposed of.

Miscellaneous petitions pending if any, shall stand closed.

03—08—2016

AVS