

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

Criminal Petition No.15978 of 2016

ORDER:

This criminal petition is filed seeking to grant anticipatory bail to the petitioner in connection with Cr.No.49 of 2011 of PS II Town, Kakinada, East Godavari District, registered for the offences under Sections 406, 408, 420 and 120-B of IPC in respect of CC No.508 of 2015 on the file of the Court of V Additional Judicial First Class Magistrate, Kakinada.

On 16.11.2016, the matter was heard. According to the learned counsel for the petitioner, on 05.05.2011, the trial court released the petitioner on bail in the aforesaid crime. Thereafter, trial commenced, however, the petitioner failed to appear since 09.06.2014. Consequently, the trial court issued N.B.W. against the petitioner. Hence, the present criminal petition is filed.

Learned counsel for the petitioner has submitted on 16.11.2016 that the petitioner went from Amalapuram to Rajahmundry and was admitted in a hospital in Rajahmundry for getting treatment. However, the petitioner has not filed any medical certificate to that effect. Learned counsel for the petitioner has sought time to file some medical documents, which are necessary for adjudicating the criminal petition. The matter was listed to today.

However, he has produced one certificate dated 22.09.2016 issued by Dr.G.Satti Raju of Sri Venkateswara Hospital, Rajahmundry, whereby, it is stated that the petitioner is suffering from rheumatic arthritis since 09.06.2014 onwards.

Counsel for the petitioner submitted that the petitioner was going daily from Amalapuram to Rajahmundry and taking treatment. In that situation what prevented the petitioner to attend the court, which is near to his place. In

view of the above, I find no merits in the present petition and the same is accordingly, dismissed.

Date: 24.11.2016
BSS

SURESH KUMAR KAIT, J



HON' BLE SRI JUSTICE SURESH KUMAR KAIT

26

Criminal Petition No.15978 of 2016



Date: 24.11.2016

BSS