

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.13226 OF 2016

ORDER:

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

2. The petitioner who is A3 in Crime No.39 of 2016 of Mangalagiri Town Police Station, Guntur Urban District, filed the present Criminal Petition under Sections 437 and 439 of the Code of Criminal Procedure, seeking enlargement on bail in the above crime registered for an offence punishable under Section 8(c) read with Section 20(b)(ii) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. Learned counsel for the petitioner mainly submits that having regard to the health condition of the petitioner, he was advised to undergo surgery and hence seeks bail.

4. Learned additional public prosecutor opposed the application contending that even after filing of charge sheet, the petitioner's plea was dismissed twice by this Court.

5. Since the health ground raised by the petitioner was for the first time and the documents which are filed needs to be verified, it would be appropriate if a fresh application is filed before the Sessions Court raising the said ground, in which event, the Court below shall consider the plea taken, call for a report from the health officer and also from the jail authorities with regard to the

health condition of the petitioner and pass orders by verifying the certificates, in accordance with law.

6. Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

Date: 23.09.2016
vnb

