

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No. 10206 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 Cr.P.C. by the petitioner/A.2 seeking enlargement on bail in crime No. 2 of 2016 of Yadamari police station, Chittoor District registered as P.R.C. No.18 of 2016 on the file of the IV Additional Judicial Magistrate of First Class, Chittoor, for the offences punishable under Sections 364-A, 397, 384, 341, 342 and 324 IPC.

3. The gist of averments in the charge sheet is as under:

On 05.01.2016 at about 8.30 P.M., all the accused followed the Scorpio vehicle bearing No.AP 03 AD 9945, in which the *de facto* complainant was proceeding from Paradarami to Gondivandlavuru. They stopped the vehicle and surrounded it by arming themselves with deadly weapons. They assaulted and caused injuries to the informant, and thereafter, kidnapped him. A.3 took Rs.40,000/- and A.1 looted a gold ring from him. The accused terrorized the informant and demanded a ransom of Rs.2.00 crores by threatening to kill him. It is also alleged that the informant agreed to pay Rs.50,00,000/-, and accordingly, contacted his son, who brought Rs.50,00,000/- and kept the same in a car near Mogili temple. One of the accused went towards the car of the son of the informant in a motorcycle, took the amount, let-off the informant at Palamaner Ghat road and absconded.

4. Learned counsel for the petitioner mainly submits

that the allegations made in the charge sheet are all false and invented for the purpose of this case. He further submits that all the other accused in the aforesaid crime are enlarged on bail and since the petitioner also stands on the same footing as that of the other accused, his request may be considered for grant of bail.

5. The learned Public Prosecutor disputes the same. He submits that the petitioner is involved in 6 more cases including the offence relating to cutting and transportation of red sandals.

6. A perusal of the material on record would show that earlier, the petitioner moved an application in Criminal Petition No. 7324 of 2016 before this Court for bail, and vide order dated 03.06.2016, a learned Judge of this Court dismissed the application. By the time the order of dismissal was passed by this Court, investigation was complete and charge sheet was also filed. No changed circumstances, either on facts or on law, from the date of dismissal of the last bail application, are either averred in the petition or stated by the learned counsel for the petitioner. There being no changed circumstances, the request of the petitioner to enlarge on bail cannot be considered.

7. Accordingly, the Criminal Petition is dismissed.

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JUSTICE C. PRAVEEN KUMAR

Date: 21.07.2016

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