

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

CrI.P. No. 14765 of 2016

DATE: 28.10.2016

Between:

Mehtab Abdul Nabi

.. Petitioner /
A1

And

The State of Telangana

.. Respondent



ORDER:-

This Criminal Petition is filed under Section 438 Cr.P.C. seeking to grant anticipatory bail to the petitioner-A1 in the event of his arrest in connection with C.C.No. 144 of 2016 on the file of the Court of XV Additional Chief Metropolitan Magistrate, Hyderabad in Crime No.16 of 2016 of WPS South Zone Police Station, Hyderabad.

The case of the petitioner-A1 is that his name is arrayed in the aforementioned F.I.R., and later the police, after completion of investigation, filed charge sheet vide C.C.No. 144 of 2016 pending on the file of the Court of XV Additional Chief Metropolitan Magistrate, Hyderabad wherein A2 was arrested and later released on bail on execution of Non-Bailable Warrant. Since NBW issued against the petitioner-A2 is pending, there is every apprehension of being arrested by the police as soon as he arrived from Saudi Arabia.

The present petition is filed on 28.09.2016 with Vakalatnama which seems to have been signed by the petitioner before the Advocate who filed the present petition. However, in the petition it is stated that the petitioner is in Saudi Arabia. If really the petitioner is Saudi Arabia, then how the petitioner could execute Vakalatnama in India in the present case. Thus, the present petition is contrary to the averments made therein and it appears that the present

petition has not been filed by duly taking Vakalatnama on behalf of the petitioner.

Hence, this Criminal Petition is devoid of merits and is accordingly dismissed.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

28.10.2016

bcj

