

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

CrI.P. No. 16181 of 2016

DATE: 22.11.2016

Between:

Dadala Nageswara Rao

.. Petitioner/
A4

and

The State of Andhra Pradesh

.. Respondent



ORDER:-

This Criminal Petition is filed under Sections 437 and 439 Cr.P.C. seeking to grant bail to the petitioner – A4 in connection with F.I.R. No. 3 of 2016 of Donkarai Police Station, East Godavari District registered for the offences punishable under Section 8(c) read with 20(b)(ii)(B) of N.D.P.S. Act, 1985.

The learned counsel for the petitioner has submitted that the petitioner has been in judicial custody since 27.03.2016.

The learned Additional Public Prosecutor has submitted that the petitioner earlier filed Crl.P.No. 15199 of 2016 for the very same relief, and this Court, by order dated 27.10.2016, dismissed the petition. Thus, there is no change of circumstances in instituting the present Criminal Petition.

In view of the submission made by the learned Additional Public Prosecutor, the Criminal Petition is liable to be dismissed as not maintainable.

At this stage, the learned counsel for the petitioner has submitted that the mother of the petitioner died on 15.11.2016 and the petitioner has to perform his last rites for which he may be granted interim bail for a period of two weeks.

The death certificate of the petitioner's mother is annexed to this petition.

Considering the submission of the learned counsel for the petitioner, I hereby direct the Judicial First Class Magistrate, Rampachodavaram, East Godavari District to enlarge the petitioner on bail on furnishing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties for the like sum each to his satisfaction, for a period of two weeks from the date of his release. Immediately after the expiry of the period of two weeks, the petitioner shall surrender before the Jail Superintendent, Central Jail, Rajamahendravaram.

With the above direction, the Criminal Petition is disposed of.

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

SURESH KUMAR KAIT, J

22.11.2016

bcj