

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION No.15190 of 2016

ORDER:

Vide present Criminal Petition, the petitioner/Accused No.4 seeks anticipatory bail in the event of his arrest in connection with Crime No. 131 of 2016 registered on the file of Station House Officer, Police Station, Shamshabad, Cyberabad for the offences punishable under Sections 395 and 176 IPC.

The present petition was listed on 01.11.2016 and on that date, learned Counsel for the petitioner argued that the petitioner has nothing to do with the said crime and he was arrested only basing on the confession statement made by A.1. He further submitted that the petitioner was neither present at the scene of offence nor involved in the commission of offence. Pursuant to the said submissions, learned Additional Public Prosecutor was directed to verify the presence of the petitioner/A.4 at the scene of offence on the basis of his cell phone and whether he had any chat with the other accused on the date of incident i.e. on 09.05.2016 and accordingly file a report in regard thereto.

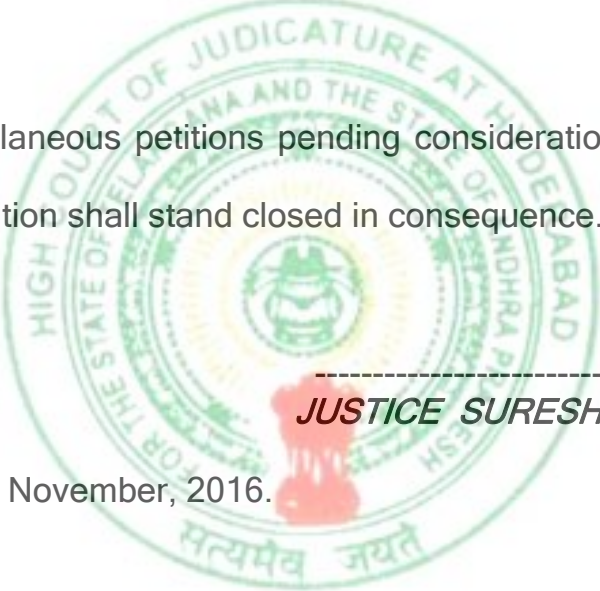
When the matter is called to day, learned Additional Public Prosecutor has informed this Court that the petitioner/A.4 has made 22 calls to Accused No.1 on 10.05.2016.

From the above, it is prima facie established that the petitioner/A.4 has actively participated in the commission of offence mentioned above.

At this stage, learned Counsel for the petitioner seeks permission to withdraw the Criminal petition, which has been rejected by this Court.

In view of the facts recorded hereinabove, the Criminal Petition merits no consideration and the same is accordingly dismissed.

Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence.



JUSTICE SURESH KUMAR KAIT

DATED 14th November, 2016.
Msnr_x