

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

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CRIMINAL PETITION No.6962 of 2016

ORDER:

Heard learned counsel for the petitioner and learned Public Prosecutor.

The petitioner who is the accused in S.C.No.11 of 2015 pending on the file of I Additional District and Sessions Judge, East Godavari at Rajahmundry (Cr.No.57 of 2014 of Tuni Town Police Station, East Godavari District) registered for the offence punishable under Section 8 (c) r/w.20 (b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985, filed this petition to enlarge him on bail.

A perusal of the material on record would show that petitioner was enlarged on bail earlier, but failed to appear before the Court to face the trial since 15.12.2015. The Sessions Court issued Non-Bailable Warrant (NBW) to secure the presence of the petitioner and the matter was adjourned several times. Ultimately, the NBW was executed and the petitioner was produced before the Sessions Court and on production he was remanded to judicial custody.

The apprehension of the Public Prosecutor is that in case the petitioner is enlarged on bail again, it is difficult for the Sessions Court to proceed with the trial since the petitioner is a native of Krishnagiri village, Tamilnadu State and it is also difficult for the investigating agency to secure his presence again to complete the trial.

The petitioner filed a similar application in CrI.P.No.4632 of 2016 which was dismissed by this Court by order dated 07.04.2016. After dismissal of the earlier criminal petition, there are no changed circumstances and even otherwise, the petitioner being a resident of Krishnagiri village, Tamilnadu State, intentionally avoided to face the trial and thereby the trial of the case could not be proceeded further by the Sessions Court. In such case, if for any

reason, the petitioner is released on bail again it is difficult for the Sessions Court, to decide the Sessions case pending before it, since the petitioner is in the habit of jumping the bail.

Hence, considering the conduct of the petitioner subsequent to grant of bail, I find it is not a fit case to enlarge the petitioner on bail again.

In the result, the criminal petition is dismissed.

M. SATYANARAYANA MURTHY, J

5th May, 2016.
Rds/Pn

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DATED : 05.05.2016

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