

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRL.P.No.2348 OF 2017

ORDER:

This criminal petition is filed under Section 438 of Cr.P.C to enlarge the petitioner/A2 on bail in the event of his arrest in connection with Crime No.595 of 2015 of Mailardevpally Police Station, registered for the offences punishable under Sections 420 and 506 of IPC.

It is the case of the petitioner that he along with A1 filed an application i.e. CrI.P.No.3617 of 2016 for grant of pre-arrest bail before this Court. Vide orders dated 28.01.2016 this Court issued the following direction:

The petitioners are directed to surrender before the Magistrate concerned on or before 06.02.2016 and on such surrender, they shall be enlarged on bail on their executing personal bond for a sum of Rs.10,000/- each with one surety for the like sum each to the satisfaction of the Magistrate concerned. The petitioners are also directed to report to the Station House Officer concerned, daily between 10.00 am and 05.00 pm for a period of (15) days.

Though the petitioner herein was directed to surrender before the Magistrate on specific date i.e. 06.02.2016 while directing the Magistrate to enlarge the petitioner on bail, the petitioner did not comply with the said direction and filed the present petition again for the same relief on the ground that the petitioner was suffering from jaundies therefore, he could not surrender before the Magistrate concerned and report to the concerned Station House Officer. But no proof is produced to prove that he was suffering

from Jaundies or any other disease from 28.01.2016. In such a case, the petitioner, who successfully disobeyed the order of this Court for a period of one year three months in the above crime, is disentitled to pre-arrest bail. Therefore, I find no ground to enlarge the petitioner on pre-arrest bail.

Accordingly, the criminal petition is dismissed.

Pending miscellaneous petitions in the petition, if any, shall stand closed.

28.03.2017
kvrn

M.SATYANARAYANA MURTHY,J

