

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.2118 of 2017

ORDER:

This Criminal Petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'), is filed to enlarge the petitioners/ A.1 to A.3, A.5 and A.6 on pre-arrest bail since they are apprehending arrest in connection with Crime No.224 of 2016 on the file of P.S., III Town, Karimnagar, Karimnagar District, registered for the offences punishable under Sections 290, 323, 342, 354, 384, 420, 506 r/w 34 IPC.

The petitioner herein filed a petition before the Sessions Court at Karimnagana in CrI.M.P.(Sr) No.381 of 2011 and it was returned by the Court through its Order Dt. 17.02.2017 on the ground that this Court by Order dt.4.01.2017 directed the investigating agency not to arrest the accused and called upon the petitioners how the anticipatory bail is filed.

As seen from the Order of this Court dt.04.01.2017, the direction was given only up to 18.01.2017 directing the police not to arrest the petitioners and in the mean while, they are directed to appear before police daily at 9.00 am till 18.01.2017 and thereafter the Order was not extended. Therefore, the Order directing the SHO, III Town Police Station, Karimnagar, not to arrest the petitioners was expired by 18.01.2017. In the absence of any Order not to arrest subsequently, the petition, which was filed before Sessions Court, can be entertained.

Without touching the merits of the matter, the Petitioner is permitted to file a Petition before Sessions Court, Karimnagar,

under Section 438 Cr.P.C., while setting aside the objection raised by the Sessions Court.

With the above observation, this Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending in this criminal petition, shall stand closed.

M. SATYANARAYANA MURTHY, J

Date:17.03.2017
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