THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION Nos.4531 & 4540 of 2017

COMMON ORDER:

The petitioner in both these petitions under Sections 437 and 439 of the Code of Criminal Procedure, 1973 (for short, 'the Code'), is one and the same and that is the reason why both these petitions have been taken up together for disposal.

In Criminal Petition No.4531 of 2017, the petitioner is seeking to enlarge him on bail in C.C.No.2 of 2013 on the file of the Additional Judicial First Class Magistrate, Amalapuram, East Godavari District, whereas Criminal Petition No.4540 of 2017 is filed seeking to enlarge him on bail in C.C.No.61 of 2013 on the file of the same Court.

Heard Sri M.Rishikesh Reddy, learned counsel for the petitioner, and the learned Additional Public Prosecutor for the State of Andhra Pradesh.

It is the submission of the learned counsel for the petitioner that the petitioner, who is arraigned as accused No.2 in the aforesaid two cases, was produced before the courts concerned on P.T.warrant and the offences alleged against him are punishable under Sections 457 and 380 of the Indian Penal Code. He would also submit that the petitioner was produced on P.T warrant on 20.03.2017 and since then, he has been in judicial custody and, therefore, he seeks to grant regular bail.

Learned Additional Public Prosecutor would resist the request of the petitioner stating that the petitioner is involved in various crimes in the States of Telangana and Andhra Pradesh and, as of now, he is involved in four criminal cases. He would also submit that the case in C.C.No.2 of 2013

is coming up for examination under Section 313 of the Code and it is posted to this day. He would further submit that the petitioner was, in fact, originally granted bail and, thereafter, he did not attend the respective Courts and that was the reason the non-bailable warrants were issued and later he was produced on P.T warrant in these two cases. Learned Additional Public Prosecutor would also submit that accused Nos.1 and 3 are also in judicial remand and they are being produced before the learned Magistrate.

Since the petitioner is a professional offender, as could be perceived from the submissions of the learned Additional Public Prosecutor, he cannot be granted bail and that was the reason why the Court below has rightly rejected the bail petitions of the petitioner. Even this Court is not inclined to grant bail to the petitioner at this stage. However, the learned Additional Judicial First Class Magistrate, Amalapuram, is directed to dispose of C.C.No.2 of 2013 within a month from the date of receipt of a copy of this order, since the same is coming up for examination under Section 313 of the Code, and also to dispose of C.C.No.61 of 2013 within three months from the date of receipt of a copy of this order.

Subject to the above directions, both these Criminal Petitions are dismissed.

Miscellaneous applications, if any pending in the present petitions, stand closed.

JUSTICE A.SHANKAR NARAYANA

07.07.2017
v v