

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

Criminal Petition No.3799 of 2017

ORDER:

In this petition filed under Sections 437 and 439 Cr.P.C., the petitioner/A8 seeks regular bail in S.C.No.76 of 2017 (Cr.No.124 of 2015 of Tada PS) on the file of VII Additional District and Sessions Judge, Gudur, Nellore District wherein the petitioner allegedly committed offence under Section 395 IPC.

2) The prosecution case is that on 10.06.2015 when the lorry bearing No. HR 55 Q 2472 was proceeding with iron scrap from Madhavaram, Chennai and reached Reliance petrol bunk, Chennigutta village, the accused followed the lorry in Innova car and waylaid the lorry and threatened LWs.1 and 2 who are drivers of the lorry by showing knife and pushed them from the lorry and took away the lorry with load which is worth Rs.50 lakhs. The police of Tada PS registered a case in Cr.No.124 of 2015, arrested the accused and laid charge sheet.

3) Denying the allegations, bail is pleaded mainly on the submission that accused has been in custody since 14.06.2016 and charge sheet is already filed and pre-trial arrest would cause prejudice to the petitioner/accused for effectively defending his case.

4) Opposing the bail application, learned Addl.P.P. would submit that petitioner is a habitual offender as he was involved in similar type of cases in S.C.No.75 of 2017 and he was also involved in crimes in Thiruvottiyur, Tamil Nadu State and if granted bail there is every

possibility of petitioner absconding from the jurisdiction of the Court and thereby the trial in those cases get stalled.

5) As can be seen from the record, the petitioner is involved in other cases i.e. S.C.No.75 of 2017 and also in criminal cases of Tamil Nadu State. Admittedly, petitioner belongs to Tamil Nadu State. Therefore, apprehension of the prosecution is well founded.

6) Having regard to the gravity of the offence and the accused being the habitual offender and all the cases are coming up for trial and in connected S.C.No.75 of 2017 this Court has already given a direction to the trial Court to complete the trial within six months, it is not apposite at this stage to grant bail to the petitioner.

5) Accordingly, bail application is dismissed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 14.06.2017
Murthy