

THE HONOURABLE Dr.JUSTICE B. SIVA SANKARA RAO

Criminal Petition No.7971 of 2017

ORDER :

Heard the learned counsel for the petitioner/ A.1 and also the learned Public Prosecutor for the respondent-State and perused the impugned order of the learned VI Addl.Metropolitan Sessions Judge, Secunderabad, dt.10.08.2017 in CrI.M.P.No.2430 of 2017 in Cr.No.145 of 2017 of Gopalapuram Police Station, for cancelling the bail granted in CrI.M.P.No.2045 of 2017, dt.30.06.2017 mainly on the ground of suppression of the factum of the petitioner/ A.1 along with A.2 filed before the High court CrI.P.No.4568 of 2017 which was ended in dismissal.

On perusal of the order of this Court dismissing the bail application of A.1 and A.2 to substantiate factum for the conclusion arrived by the learned Sessions Judge in cancelling the bail obtained, it is nothing but suppression of material facts which amounts to fraud on Court by the party. However, that dismissal of Criminal Petition is not a bar, from the Constitution Bench expressions of the Apex Court, for maintaining a fresh bail application to consider on own merits.

Accordingly and in the result, the Criminal Petition is disposed of by giving liberty to the petitioner to file fresh petition for obtaining bail for there is no bar as stated above. Pending miscellaneous petitions, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO J,

Date:19.09.2017

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