

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRL.P.Nos.968, 969 and 970 OF 2017

COMMON ORDER:

These criminal petitions are filed under Sections 437 and 439 of Cr.P.C to enlarge the petitioners, who are in judicial custody since 03.08.2016, on bail in connection with Crime No.06 of 2014 of Pedapappur Police Station, Crime No.237 of 2012 of Ananthapuram I Town Police Station and Crime No.91 of 2013 of Kalyandurga Police Station, Ananthapuram District, respectively registered for the offences punishable under Section 420 of IPC and Sections 4 and 5 read with 2(c), 3 of Prize, Chits Money Circulations Scheme (Banning) Act, 1978 and Section 5 of the A.P. Protection of Depositors of Financial Establishment Act, 1999.

The petitioners in all these criminal petitions and crimes are one and the same except crime number.

Learned counsel for the petitioners contended that the entire investigation is completed and charge sheets were filed, but they were returned for compliance of certain objections. However, as on today no charge sheets are pending before the concerned Court.

However, learned Additional Public Prosecutor would contend that unless there are changed circumstances after dismissal of bail applications, dated 02.01.2017 in CrI.P.Nos.1239, 1237 and 1238 of 2016 by this Court,

successive bail applications cannot be entertained and grant bail to the petitioners.

As seen from the material on record, the petitioners approached this Court by filing CrI.P.Nos.14984, 14987 and 14971 of 2016, which were dismissed by this Court on 31.10.2016 and thereafter, they filed other bail applications i.e.CrI.M.P.Nos.1239, 1237 and 1238 of 2016 before the Sessions Court and the same were dismissed by order dated 02.01.2017 observing that the Sessions Court shall not take different view as the order of the High Court is binding on it. Once this Court dismissed bail applications, it cannot pass any order unless there are changed circumstances. When a similar instance came up before the Apex Court in **Kalyan Chandrasekhar v Rajesh Rajan**¹ it was held that filing of successive bail applications without any changed circumstances cannot be entertained by the Court and pass any order.

In the present cases on hand, on the date of filing earlier bail applications, the charge sheets were not filed and thereafter they were filed and returned for compliance of certain objections. Therefore, there are absolutely no changed circumstances to grant bail to the petitioners, at this stage, by applying the principle laid down in the above judgment. However, if there are any changed circumstances, the petitioners can approach the Sessions Court, which can pass

¹ AIR 2005 SC 921

appropriate orders uninfluenced by the observations made by this Court in the present order.

In the result, the criminal petitions are dismissed. However, the petitioners are at liberty to approach the Sessions Court and on such application, the Sessions Court is requested to pass appropriate orders uninfluenced by the observations of this Court in this order.

Pending miscellaneous petitions in these petitions, if any, shall stand closed.

22.02.2017

kvrn

M.SATYANARAYANA MURTHY,J

