

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO. 2669 OF 2017

ORDER:

This Criminal Petition under Sections 437 and 439 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'), is filed to enlarge the petitioner/A-2 on bail in Crime No.28 of 2017 of Police Station, Karkhana, Secunderabad for the offences punishable under Sections 420, 120-B, 170, 109 r/w 34 of IPC.

The main contention before this Court is that 60 days period is over, but no charge sheet is filed, and thereby the petitioner is entitled for statutory bail under Section 167(2) of Cr.P.C. without raising any other contention. However, this petition is filed under Sections 437 and 439 of the Code of Criminal Procedure, 1973 for grant of regular bail and not statutory bail. In such a case, the petitioner can be permitted to file an application under Section 167(2) of Cr.P.C. before the appropriate Court.

Therefore, leaving it open to the petitioner to move appropriate application under Section 167(2) of Cr.P.C. before the appropriate Court.

Accordingly, this petition is dismissed.

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

JUSTICE M. SATYANARAYANA MURTHY

Date: 17.04.2017
ccm

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