

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.10874 of 2017

ORDER:

Heard learned counsel for the petitioner/A.2 and learned Additional Public Prosecutor for the respondent State, and perused the record.

This petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner/A.2 in Crime No.129 of 2017 of Yemmiganur Town Police Station, Kurnool District, for the offences punishable under Sections 323 and 307 IPC read with Section 34 IPC.

This is the second bail petition of the petitioner/A.2. As per the order, dated 22.08.2017, this Court dismissed his earlier bail petition, CrI.P.No.5933 of 2017. Learned counsel for the petitioner/A.2 would submit that the medical certificate was not available on that day. Now, the petitioner/A.2 obtained a copy of the medical certificate wherein it is mentioned that the victim suffered only one lacerated injury and it is simple. Earlier, while dealing with this matter in the above Criminal Petition, this Court had passed an elaborate order, holding as under:

“A perusal of the record prima facie reveals the role played by the petitioner in the commission of offence”.

In view of specific overt act and in view of dismissal of earlier bail petition, it cannot be said that there are changed circumstances and this petition is required to be allowed.

The Criminal Petition is devoid of merit and is accordingly dismissed.

Dr. SHAMEEM AKTHER, J

17th NOVEMBER, 2017.

kvni

