

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.409 of 2018

ORDER:

This petition is filed seeking for grant of anticipatory bail to the petitioner, who is accused, in Crime No.78 of 2017 on the file of Pulkal Police Station, Sanga Reddy District. The offences alleged are under Sections 304(ii) IPC.

2. Heard the counsel for the petitioner and the Public Prosecutor appearing for the respondent.

3. The Public Prosecutor brings to the notice of this court, that earlier a similar petition was filed by this petitioner in CrI.P.No.9983 of 2017 and the same was dismissed by this court by order, dated 31.10.2017, considering the merits of the case.

4. A perusal of the said order, which was appended to the petition, shows that this court by considering that there is every possibility of innocent people moving in that area where the electrical wire was drawn to protect the field of the petitioner, dismissed the petition.

5. Hence, when once the merits of the case are considered while dismissing the petition, a fresh petition cannot be entertained. The panchanama, which the petitioner seeks to rely upon, does not project any favourable facts, other than those discussed by this court earlier. The negligence of the deceased, which was agitated to be the reason of his death, is not material

as it was observed by this court, in the earlier petition, that erection of GI wire itself is not proper.

5. Hence, in view of the above, this court is of the opinion that the petitioner is not entitled for grant of anticipatory bail.

6. With the above observations, the Criminal Petition is dismissed. However, the petitioner can file a petition seeking for regular bail by surrendering himself before the court below. The court below shall dispose of the bail application, if any filed, expeditiously, preferably on the same day, subject to the pressure of other work.

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

January 25, 2018

Note:-

Copy by 29.01.2018.

{ B/o }
LMV

T. RAJANI, J

