

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

[Special Original Jurisdiction]

TUESDAY THE THIRTIETH DAY OF JANUARY
TWO THOUSAND AND EIGHTEEN

PRESENT

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION NO. 564 OF 2018

Between:

R. Ankababu

...

Petitioner/A-7 in
Cr.No. 76 of 2016
Chinturu Police Station,
East Godavari district.

V/s.

The State of Telangana
Represented by the Public Prosecutor
High Court of Judicature for the State of
Telangana & Andhra Pradesh,
Through Station House Officer,
Chinturu Police Station,
East Godavari district.
Andhra Pradesh State.

...

Respondent/complainant

Counsel for the Petitioner :

Sri G.L. Nageswar Rao

Counsel for the Respondent :

Public Prosecutor [AP]

The court made the following:

[order follows]

SMT. JUSTICE T. RAJANI**CRIMINAL PETITION NO. 564 OF 2018****ORDER :**

This Criminal Petition is filed by the petitioner under section 438 Cr.P.C., seeking grant of anticipatory bail to the petitioner, who is A-7 in Crime No. 76 of 2016 of Chinturu Police Station, East Godavari district, registered for the offences punishable under section 8 [c] read with section 20 [b] [ii] [c] of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Heard the learned counsel for the petitioner/A-7 and the learned Additional Public Prosecutor appearing on behalf of the respondent/State.

3. The learned Additional Public Prosecutor submits that earlier bail application filed by the petitioner for grant of anticipatory bail was dismissed by this Court by considering the merits of the case, vide orders dated 30/10/2017 in Criminal Petition No. 9816 of 2017.

4. A perusal of the order dated 30/10/2017 passed by this Court in Crl.P.No. 9816 of 2017 shows that the merits of the case were considered while dismissing the anticipatory bail to the petitioner/A-7.

5. Hence, this Court opines that in view of the above, this anticipatory bail application cannot be entertained by this Court and the same is accordingly dismissed.

6. At this stage, the learned counsel for the petitioner seeks the Court that Section 41-A Cr.P.C., notice shall be ordered to be served on the petitioner; that earlier there was a direction to serve the said notice but the petitioner/A-7 did not receive the same, as he was on medical leave.

7. Hence, in view of the request made by the counsel for the petitioner, the Station House Officer, Chinturu Police Station, East Godavari district, is directed to issue Section 41-A Cr.P.C. notice to the petitioner before arresting him.

8. In view of the above, this Criminal Petition is dismissed.

9. As a sequel, miscellaneous petitions if any, pending in this

Criminal Petition shall stand closed.

JUSTICE T. RAJANI.

30/01/2018
I s L



SMT. JUSTICE T. RAJANI

CRIMINAL PETITION NO. 564 OF 2018
[**ANTICIPATORY BAIL :: DISMISSED**]



Date: 30/01/2018
Circulation No.
Court Master: I s L