

SMT JUSTICE T.RAJANI
CRIMINAL PETITION No.646 OF 2018

ORDER:

This Criminal Petition is filed seeking for grant of bail to the petitioner, who is accused No.17, in Sessions Case No.3 of 2018 on the file of the VII Additional District and Sessions Judge, Vijayawada, Krishna District.

2. The offences alleged are under Sections 302 R/w.34 of I.P.C.
3. Heard the learned counsel for the petitioner, learned Public Prosecutor appearing for the respondent-State, and perused the record.
4. Learned counsel for the petitioner submits that the petitioner is an innocent person and has been languishing in jail since 06.10.2014. But the learned Public Prosecutor brings to the notice of this Court the dismissal of the earlier bail application filed by the petitioner, by virtue of the orders in Criminal Petition No.10870 of 2016 on 11.08.2016. A perusal of the order shows that the entire facts of the case were discussed therein and, referring to the ruling laid down by the Apex Court in ***Sanjay Chandra Vs. Central Bureau of Investigation***¹, the Court observed that while determining the bail application the charge and severity of the punishment should also be taken into consideration, dismissed the Criminal Petition.
5. Hence, when the merits of the case were gone into while dismissing the earlier bail application of the petitioner, this Petition cannot be entertained at all. However, considering that the petitioner has been languishing in jail since 06.10.2014, the Court below is directed to complete the trial expeditiously, preferably within six (6) months from the date of receipt of a copy of this order.

¹ 2012 (1) SCC 40

6. Accordingly, with the above observation, the Criminal Petition is dismissed.

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

T. RAJANI, J

Date: 31.01.2018.

Dsh



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Date. 31.01.2018

DSH