

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.3742 OF 2018

ORDER:

This criminal petition, under Sections 437 & 439 read with Section 167 (2) of the Code Of Criminal Procedure, 1973 (for short 'Cr.P.C.'), is filed by the petitioner/ accused No.1 to release the petitioner on regular and statutory bail.

Heard learned counsel for the petitioner and learned public prosecutor representing the State of Andhra Pradesh.

It appears from the record that this petitioner has filed an application before the Metropolitan Sessions Judge at Vijayawada and the same was returned with the following objection:

“How the petition is maintainable as the concerned already filed charge sheet and it is under consideration of the Court. Hence returned.”

On such return, the petitioner without representing the petition and without complying the objection, straight away approached this Court claiming regular bail and statutory bail.

Therefore, it is difficult to grant both the bails in the present petition. However, the petitioner may represent the same and invite an order on merits.

Having regard to the above, the Criminal Petition disposed of directing the petitioner to represent the same notwithstanding time granted by Sessions Court and invite an order either on maintainability or entitlement to claim a statutory bail or regular bail under the provisions referred supra.

M.SATYANARAYANA MURTHY, J

11.04.2018
Knl