

HON'BLE SRI JUSTICE P. KESHA RAO

CRIMINAL REVISION CASE No.1791 of 2018

ORDER:

Heard the learned counsel for the petitioner as well as the learned Public Prosecutor appearing for the respondent State.

The present revision case is filed questioning the orders passed in CrI.M.P.No.34 of 2018 in Cr.No.527 of 2017 dated 07.05.2018 on the file of the XIII Additional District and Sessions Judge (FTC), Vijayawada, cancelling the conditional bail orders granted to the petitioners in CrI.M.P.Nos.1370 and 1357 of 2017 dated 04.09.2017 on the ground that they failed to comply with the said conditions.

The facts of the case are that the petitioners herein are charged for the offences under Section 307 IPC. When the matter was at the crime stage, petitioner Nos.2 to 4 filed CrI.M.P.No.1357 of 2017 under Section 438 Cr.P.C., and petitioner No.1 filed CrI.M.P.No.1370 of 2017 under Sections 437 and 439 Cr.P.C., for grant of bail. The said two petitions were allowed by the learned XIII Additional District and Sessions Judge (FTC), Krishna at Vijayawada, on 04.09.2017. While allowing the said petitions, petitioner Nos.2 to 4 were directed to attend before the Station House Officer, Penamaluru Police Station, Vijayawada on every Sunday between 10.00 a.m. and 5.00 p.m. till filing of the charge sheet and petitioner No.1 is directed to attend before the said

Station House Officer on every Sunday between 4.00 to 6.00 p.m. until further orders. After investigation, a charge sheet has been filed. On 04.04.2018, the prosecution has filed CrI.M.P.No.34 of 2018 for cancellation of the bail granted to the petitioners herein on the ground that they failed to comply with the conditions imposed while granting the bail. The said petition was allowed by the learned XIII Additional District and Sessions Judge (FTC), Vijayawada, on 07.05.2018. Aggrieved by the same, the present revision case is filed.

Learned counsel appearing for the petitioners would contend that the petitioners are not aware of the procedure to be followed while attending the police station when a conditional bail has been granted. In fact, they have attended the police station, Penamaluru on every Sunday from the date of granting bail. However, the prosecution has filed a petition for cancellation of bail on a false ground that they never attended the police station.

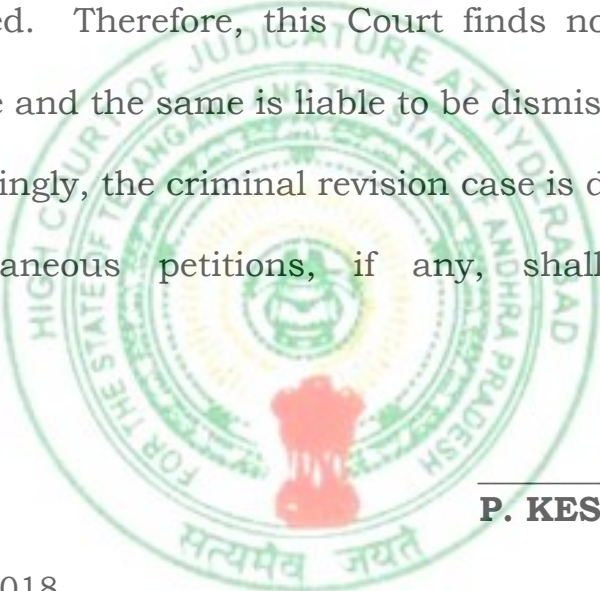
After hearing the learned counsel for the petitioners this Court has directed the learned Public Prosecutor to ascertain the state of affairs with regard to whether the petitioners have attended the police station on every Sunday in compliance with the orders passed while granting the bail. In response to the same, the learned Public Prosecutor has placed on record letter dated 03.07.2018 addressed by the Sub-Inspector of

Police, Penamaluru Police Station, Vijayawada City, to the office of the Public Prosecutor.

A perusal of the said letter would indicate that the petitioners did not appear before the Station House Officer since the date of release. Hence, the investigating officer filed CrI.M.P.No.34 of 2018 for cancellation of bail granted to them. This being the position, the contention of the learned counsel for the petitioners that the petitioners have complied with the conditions imposed while granting bail cannot be countenanced. Therefore, this Court finds no merit in the revision case and the same is liable to be dismissed.

Accordingly, the criminal revision case is dismissed.

Miscellaneous petitions, if any, shall also stand dismissed.



P. KESHA RAO, J

Date: 05.07.2018.
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