

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.5656 OF 2018

ORDER:

Heard the learned counsel for the petitioner/A.2, the learned Additional Public Prosecutor for the respondent-State and perused the record.

This petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner/A.2 in Crime No.184 of 2016 of Vinukonda Police Station, Guntur District, registered for the offences punishable under Section 304-B read with 34 IPC.

Learned counsel for the petitioner/A.2 would submit that the petitioner/A.2 is suffering from heart problem. A certificate is filed to that effect. The earlier bail application filed by him in CrI.P.No.3996 of 2017 was dismissed by this Court vide order dated 13.07.2017 stating that no medical report was filed and ultimately prayed to allow the petition.

Learned Additional Public Prosecutor opposed the grant of bail to the petitioner/A.2.

The point for determination is, whether the petitioner/A.2 is entitled for anticipatory bail as prayed for?

This is third bail application of the petitioner. Earlier, two anticipatory bail applications filed by the petitioner in CrI.P.No.2713 of 2017 and CrI.P.No.3996 of 2017 were dismissed by this Court vide orders dated 07.04.2017 and 13.07.2017 respectively, holding that the petitioner failed to produce any medical record to substantiate that she is suffering from health problems. Now, the petitioner had produced four medical certificates. Admittedly, the doctor, who issued one certificate

among those four, is not a qualified allopathic doctor. The other three certificates simply state that the petitioner is suffering from health problems etc. The said certificates were not issued basing on pathological lab investigations. Moreover, these certificates are filed by the petitioner at a belated stage. It appears that the petitioner had made efforts and brought some certificate from the doctors. It is an afterthought. There are no changed circumstances. The petitioner is not entitled for bail under Section 438 Cr.P.C. The Criminal Petition is devoid of merit and is liable to be dismissed.

In the result, the Criminal Petition is dismissed.

22nd June, 2018.
ssp

Dr. SHAMEEM AKTHER, J

