

THE HON'BLE SRI JUSTICE P. KESHA RAO

CRIMINAL REVISION CASE NO.2176 OF 2014

ORDER:

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

The present Criminal Revision Case is filed questioning the orders passed in CrI.M.P.No.118 of 2014 in P.R.No.36 of 2014-2015 dated 15.10.2014 on the file of the Court of Special Judge for trial of offences under the SCs and STs (POA) Act, 1989-cum-V.Additional Sessions Judge, Nellore, cancelling the bail granted to the petitioner.

The facts in brief are that the petitioner has been charged for the offence under Section 34(a) and 37 (A) of AP Excise Act vide P.R.No.36 of 2014-15. The specific allegation made against the petitioner is that during the elections on 23.4.2014, the petitioner was in possession of 4,800 (180 ml quantity) liquor bottles. After registration of the crime, the petitioner obtained anticipatory bail on 21.6.2014 on the file of the above said Court. While granting the anticipatory bail, the petitioner was directed to co-operate with the investigating agency and not to leave the country without permission. The prosecution filed CrI.M.P.No.118 of 2014 for cancellation of the bail on the ground that the petitioner violated the conditions imposed

while granting the anticipatory bail. Learned Sessions Judge, after hearing, was pleased to allow the said petition by orders dated 15.10.2014 and cancelled the bail granted to the petitioner. Aggrieved by the same, the present Criminal Revision Case is filed.

Learned counsel for the petitioner would contend that the non-appearance of the petitioner before the Police in compliance with the conditions imposed while enlarging him on bail was due to ill-health. However, subsequently, he appeared before the concerned Police and after investigation, a charge sheet has been filed on 6.1.2017. After taking cognizance of the offence against the petitioner, the case has been numbered as CC.No.57 of 2017 and at present the matter is posted to 24.9.2018 for appearance of the accused.

Learned Public Prosecutor appearing for the respondent State has not opposed the said factual aspect.

Having heard both the counsel and from the perusal of the material on record, it is revealed that though the anticipatory bail was cancelled on the ground that the petitioner was not cooperating with the investigating agency in not making himself available, after investigation, charge sheet has already been filed in the concerned Court. The Court, after taking cognizance, has numbered the case as C.C.No.57 of

2017. The anticipatory bail granted to the petitioner was cancelled in the year 2014. After four long years, that too, after the petitioner made himself available to the investigating officer and after completion of the investigation when charge sheet has already been filed and the case has been numbered, this Court is of the opinion that no useful purpose would be served in cancelling the anticipatory bail granted to the petitioner at this length of time. In fact, during the pendency of the present Criminal Revision Case, the investigation was completed and case was taken on file.

In these circumstances, this Court is of the opinion that no useful purpose would be served in further proceeding with the matter.

Accordingly, the Criminal Revision Case is allowed by setting aside the orders passed in CrI.M.P.No.118 of 2014.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

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P. KESHA VA RAO,J

Date: 27.8.2018

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