

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.11070 of 2018

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.4 for grant of anticipatory bail in Crime No.4 of 2018 of CBI, BS&FC, Bangalore District, Karnataka State, registered for the offences punishable under Sections 120B read with 419, 420, 468 & 471 of I.P.C. and Sections 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988.

2. Heard the submissions of Sri L.Ravi Chander, the learned senior counsel, appearing for Sri P.Subhash, the learned counsel for the petitioner/A.4, Sri K.Surender, the learned Special Public Prosecutor for CBI Cases representing the respondent and perused the record.

3. Vide order, dated 15.09.2018, passed in CrI.Mis.No.4423 of 2018, the learned XXI Additional City Civil and Sessions Judge and Principal Special Judge for CBI Cases, Bengaluru, recorded a finding that the said Court has no jurisdiction to entertain the bail application of the petitioner/A.4, but however, granted interim bail for a period of 30 days from the said order and directed the petitioner/A.4 to file regular bail application before the trial Court at Hyderabad within 30 days from the date of the said order. In the course of hearing, it is brought to the notice of this Court that the petitioner/A.4 has not filed a bail application before the Principal Special Judge for CBI Cases, Hyderabad, and directly approached this Court by filing this Criminal Petition. Under these circumstances, it is not appropriate to deal with this application on merits by this Court. The petitioner/A.4

is given liberty to file a bail application before the Principal Special Judge for CBI Cases, Hyderabad, within 15 days from the date of this order. Meanwhile, the authorities concerned shall refrain from arresting the petitioner/A.4 in the subject crime for a period of fifteen (15) days from today or till the disposal of application by the Principal Special Judge for CBI Cases, Hyderabad, whichever is earlier.

4. With the above observation, this Criminal Petition is disposed of.

Pending miscellaneous petitions, if any, shall stand closed.

12th November, 2018
Bvv

Dr. SHAMEEM AKTHER, J

