

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11572 OF 2018

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.12, for grant of bail in C.C.No.833 of 2011 on the file of the I Additional Chief Metropolitan Magistrate, Visakhapatnam, for the offences punishable under Sections 120B, 420 read with 511 and 471 read with 468 of IPC.

2. Heard the learned counsel for the petitioner/A.12 and the learned Special Public Prosecutor representing the respondent-State and perused the record.

3. During the course of submissions made by both sides, it is brought to the notice of this Court that the petitioner/A.12 after obtaining bail had absconded for considerable period. Thereafter, he is remanded to judicial custody on 14.04.2018 on execution of NBW. Due to the absence of the petitioner/A.12, the trial in the main case has not been proceeded with. As per the records, it is clear that if this petitioner is granted bail, there is every likelihood of his absconding and protracting the criminal trial. The Court of Sessions was pleased to dismiss the bail application of this petitioner *vide* order dated 07.08.2018 in CrI.M.P.No.1570 of 2018 in C.C.No.833 of 2011 on the file of the I Additional Chief Metropolitan Magistrate, Visakhapatnam assigning number of reasons in declining to grant bail. Under these circumstances, there is nothing to take a different view. Therefore, the bail petition is liable to be dismissed.

4. Since the C.C. is of the year 2011 and as the petitioner/A.12 was remanded to judicial custody on 14.04.2018, the

trial Court is directed to complete the trial of the case within three months from today.

5. With the above direction, the Criminal Petition is dismissed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

DR. SHAMEEM AKTHER, J

Date: 08.11.2018
ssp

