

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Crl.P.No.12875 of 2017

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.1, seeking to quash the order dated 4.12.2017 passed in Crl.M.P.No.2785 of 2017 on the file of the Additional Metropolitan Sessions Judge, Cyberabad at L.B.Nagar, Ranga Reddy District, cancelling the bail by setting aside the orders passed in Crl.M.P.No.1569 of 2017 by the XXI Metropolitan Magistrate, Cyberabad at Medchal, Ranga Reddy District in Cr.No.521 of 2017, dated 10.7.2017.

2. Heard the learned counsel for the petitioner/accused No.1, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. Bail granted by the XXI Metropolitan Magistrate, Cyberabad at Medchal *vide* order dated 10.07.2017 in Crl.M.P.No.1569 of 2017 was cancelled by the Additional Metropolitan Sessions Judge, Cyberabad at L.B.Nagar, on 4.12.2017 in Crl.M.P.No.2785 of 2017 on the ground that the petitioner/accused No.1 has violated the terms and conditions of bail order.

4. Now, learned counsel for the petitioner/accused No.1 would submit that the petitioner was in judicial custody in Cr.No.35 of

2017 of Kushaiguda from 6.7.2017 to 23.08.2017. Therefore, she could not comply with the conditions of bail order.

5. Learned Assistant Public Prosecutor has conceded the same.

6. In view of the fact that the petitioner-accused No.1 is in judicial custody in another crime viz., Cr.No.35 of 2017 of Kushaiguda, it cannot be held that the petitioner has violated the terms and conditions of bail order.

7. It is submitted on behalf of the petitioner that the petitioner is ready to comply with the terms and conditions of the bail order and co-operate with the investigation officer.

8. Under these circumstances, the order passed on 4.12.2017 in CrI.M.P.No.2785 of 2017 on the file of the Additional Metropolitan Sessions Judge, Cyberabad, at L.B Nagar, Ranga Reddy District, is set aside.

5. Accordingly, the Criminal Petition is allowed.

Pending Miscellaneous petitions, if any, shall stand closed.

Dr. Shameem Akther, J

28th February, 2018
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