

SMT. JUSTICE T.RAJANI

Criminal Petition No.24557 of 2017

ORDER:

This petition is filed seeking for grant of bail to the petitioner, who is accused No.1, in Crime No.357 of 2017 on the file of III Town Police Station, Visakhapatnam City, Visakhapatnam District.

Heard the learned counsel for the petitioner and the learned Public Prosecutor for the respondent.

The offences alleged against the petitioner are under Section 302, 397, 398, 449, 341, 352, 307, 120-B r/w 34 IPC.

The learned counsel for the petitioner submits that A-1, who is the petitioner herein, is a permanent resident of Visakhapatnam, doing business. Initially he was shown as A-5 but after he moved the High Court with Habeas Corpus petition he was arrayed as A-1. Taking note of the said fact, this Court is of the view that the said fact does not weigh in favour of the petitioner for consideration of granting bail to him. The counsel also makes a vain attempt to contend that the arrest intimation, which shows that it was given to one Rowthu Narsinga Rao is inconsistent with the fact that the witnesses for the arrest shown as A-37 and A-38 are different. It is absolutely a misconception. The arrest was done in the presence of A-37 and A-38. Arrest intimation was given to the person to whom the petitioner was related. The said procedure adopted by the Police cannot, in any manner, be said to be wrong.

The learned Public Prosecutor, contending, that A-1 is the mastermind behind this crime, vehemently opposes the granting of bail to the petitioner. Narration of the facts reflected in the charge sheet would show that it was not mentioned specifically that A-1 was the mastermind, but he is the person, who coordinated all the things, which are necessary for the commission of the crime.

In view of the above, this Court opines that it is not a fit case to grant bail to the petitioner and therefore, the petition is dismissed.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

JUSTICE T.RAJANI

Date: 18.01.2018
LSK

