

HONOURABLE SRI JUSTICE SANJAY KUMAR

CRIMINAL PETITION No.1495 OF 2019

ORDER:

1 The petitioner is A.2 in Crime No.18 of 2019 on the file of Gudihathnoor Police Station, Adilabad District, registered under Section 20 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 r/w Section 34 IPC and Section 75 IPC. He filed this application under Section 438 CrPC seeking anticipatory bail.

2 It is an admitted fact that the petitioner has not approached the Sessions Court. Though concurrent jurisdiction is conferred upon the High Court and the Sessions Court under Section 438 CrPC, it has always been the tradition and practice of this Court and earlier, the erstwhile common High Court for the States of Telangana and Andhra Pradesh and the former High Court of Andhra Pradesh, to insist upon the accused first approaching the Sessions Court and only thereafter, coming before this Court. Judicial hierarchy also requires such a step being taken.

3 On this short ground, this Criminal Petition is dismissed leaving it open to the petitioner to approach the Sessions Court concerned.

March 22, 2019.
Kvsn

JUSTICE SANJAY KUMAR