

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No. 4797 of 2019

ORDER :

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused, for grant of anticipatory bail in Crime No.347 of 2008 of Musheerabad Police Station, Hyderabad, registered for the offence punishable under Section 376 of IPC, which is now pending as S.C.No.177 of 2016 on the file of the Special Sessions Court for Fast Tracking the cases related to Atrocities against Women's-II-cum-XI Additional Metropolitan Sessions Judge, Hyderabad.

2. Heard learned counsel for the petitioner/accused, learned Additional Public Prosecutor representing the respondent/State and perused the record.

3. Learned counsel for the petitioner/accused would submit that the petitioner and the complainant are cousins. The petitioner was granted bail by the trial Court. Thereafter, due to some unavoidable circumstances, he could not attend the Court. Hence, NBW was issued against him and the same is pending. Therefore, the petitioner apprehends that he may be taken into custody in connection with the said case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Learned Additional Public Prosecutor representing the respondent/State opposed to grant bail to the petitioner/accused.

5. As seen from the record it appears that since the petitioner has not attended the Court, after his release on bail, NBW was issued to him.

6. In view of the fact that the said crime is of the year 2008 and the Sessions Case is pending since 2016, this Court is not inclined to grant anticipatory bail to the petitioner/accused.

7. In the result, the Criminal Petition is dismissed. However, if the petitioner/accused surrenders before the trial Court concerned within ten days from the date of this order and move an application for regular bail, after giving prior notice to the Public Prosecutor concerned, the same may be considered in accordance with law.

22.08.2019  
ssp

\_\_\_\_\_  
JUSTICE G. SRI DEVI

