

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION No.7510 of 2019

ORDER:

This Criminal Petition, under Sections 437 and 439 Cr.P.C., is filed by the petitioner/accused seeking to enlarge him on bail in Sessions Case No.164 of 2016 on the file of II Additional Metropolitan Sessions Judge, Hyderabad, arising out of Crime No.12 of 2010 on the file of Moghulpura Police Station, Hyderabad.

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

3. Learned counsel for the petitioner submitted that the Sessions Court has issued non-bailable warrant against the petitioner, split up the case against him and thereafter, disposed of the said Sessions Case convicting accused Nos.1 to 3. In pursuance of the NBW issued by the Sessions Court, the Police executed the same and produced the petitioner before the said Court on 05.10.2019 and consequently, he was remanded to judicial custody. Hence, the learned counsel prayed to enlarge the petitioner on bail.

4. Learned Additional Public Prosecutor opposed the bail application and submitted that as the petitioner was absconding, the Sessions Court issued non-bailable warrant against him and therefore, the petitioner is not entitled to be enlarged on bail.

5. As seen from the contents of the affidavit, filed in support of this Criminal Petition, it is evident that due to the absence of the

petitioner, the case against him was split up and S.C.No.131 of 2013 was disposed of convicting the other accused. The trial Court issued NBW against the petitioner in the year 2014 and the same was executed by the Police and the petitioner was produced before the Court concerned only on 05.10.2019 and that as of now, the petitioner is in judicial custody.

6. Looking into the nature of the allegations levelled against the petitioner and since the Sessions Case which is of the year 2013 was already disposed of splitting up the case insofar as the petitioner, I am not inclined to release the petitioner on bail at this stage. However, the learned II Additional Metropolitan Sessions Judge, Hyderabad, is directed to commence and conclude the trial in S.C.No.164 of 2016 as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order.

7. Subject to the above direction, the Criminal Petition is disposed of.

8. Miscellaneous petitions, if any pending in this criminal petition, shall stand closed.

28th November, 2019
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JUSTICE G.SRI DEVI