

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 8511 of 2021

O R D E R:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused No.4 in S.C.No. 28 of 2021 on the file of XII Additional District and Sessions Judge, Ranga Reddy District at Vikarabad (Crime No. 264 of 2013 of Parigi Police Station) registered for the offences punishable under Sections 395 and 411 IPC., seeking bail.

2. According to prosecution, Sri Samala Shankar – complainant lodged a report with police stating that on 24.12.2013 at about 11.30 hours, while he was proceeding on the lorry bearing Registration No. AP 24 TB 6899 with load of sugar, near Chinthal Cheruvu, one white Tavera car overtook the lorry and stopped the vehicle. Eight unknown persons came to his lorry and threatened him and thrown him and one Ganesh from the lorry. Five among them took us in the car to Karnataka State, Kaligi Village and left them there after taking their cell phones and cash of Rs.38,000/- and remaining three people had taken with them the lorry along with sugar, value of which is Rs.4.50 lacs.

3. Learned counsel for petitioner Sri Mummaneni Srinivasa Rao submits that initially, the Court below granted bail to petitioner, on certain conditions. He submits that as the petitioner was accused in some other cases registered at Karnataka, he could not appear before the police and N.B.Ws. were issued and P.T. warrants were also executed and he was

again remanded on 20.01.2021. According to the learned counsel, since then, petitioner has been languishing in jail. It is submitted that in this case, the remaining accused are yet to be arrested and though petitioner was granted bail in other cases, he is in jail from the last more than 11 months in connection with the subject case, hence, his case may be considered for grant of bail.

4. Learned Assistant Public Prosecutor submits that petitioner is a habitual offender and he is accused in similar offences. It is submitted that there are eight accused in this case and earlier, they were granted bail with certain conditions and subsequently, they were found absconding. It is also submitted that as the accused were absconding, trial could not be commenced. Learned Assistant Public Prosecutor further states that if petitioner, who belongs to Karnataka State, is enlarged on bail, at this stage, it would be very difficult for the prosecution to secure his presence during the course of trial. He submits that there may be a direction to the Court below to complete the trial within a reasonable time and at this stage, petitioner is not entitled for bail.

5. This crime is of the year 2013 and petitioner was arrayed as Accused No.4. As the remaining accused are yet to be arrested and as petitioner is languishing in jail from the last 11 months, this Court deems it appropriate to grant him bail, with certain conditions.

6. The Criminal Petition is therefore, allowed. The petitioner – Accused No. 4 shall be enlarged on bail in connection with S.C.No. 28 of 2021 on the file of XII Additional District and Sessions Judge, Ranga Reddy District at Vikarabad (Crime No. 264 of 2013 of Parigi Police Station) on his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of XII Additional District and Sessions Judge, Ranga Reddy District at Vikarabad. Petitioner shall not influence or threaten the witnesses and shall cooperate with the trial. He shall not leave the State till completion of trial and he shall appear before the Police Station concerned once in a week i.e. on every Sunday between 10.00 a.m. and 01.00 P.M.

26th November 2021

LALITHA KANNEGANTI, J

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