

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.4331 of 2019

ORDER:-

This petition is filed by the petitioner-prosecution under Section 439(2) of Code of the Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking cancellation of bail granted to respondent/A.2 by this Court in the order dated 30.04.2019, in CrI.P.No.2079 of 2019 in Crime No.180 of 2019 of Madhapur Police Station (Guttala Begumpet), Cyberabad, for the offences punishable under Sections 406, 420 and 506 of the Indian Penal Code, 1860, and Sections 3, 4 5 and 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978.

2. Heard learned Assistant Public Prosecutor appearing for the petitioner-State, Mr.P.Kasi Nageswara Rao, learned counsel for the respondent/A.2 and perused the material on record.

3. Learned Assistant Public Prosecutor submits that by order dated 30.04.2019 in CrI.P.No.2079 of 2019, this Court has directed that respondent/A.2 shall enlarge on bail on his executing a personal bond for a sum of Rs.50,000/- with two sureties each in a like sum, shall not interfere with the investigation, shall not intimidate or induce any of the witnesses acquainted with the facts of the case, shall cooperate with the Investigating Officer and shall make himself available for investigating on all Fridays from 10.00 a.m. to 02.00 p.m. This order was passed on 30.04.2019. The prosecution has filed this petition in the year 2019 itself on the ground that the respondent did not surrender before the Station House Officer, Madhapur Police Station, till date and has not complied with the orders dated 30.04.2019 passed by this Court.

He submits that the matter was adjourned on every occasion. Further, in CrI.P.No.4332 of 2019, by order dated 09.12.2021, this Court has cancelled the pre-arrest bail granted to A.6. As the respondent is not complied with the order passed by this Court, the bail granted to respondent may be cancelled.

4. Learned counsel for the respondent/A.2 submits that in another case the respondent herein was arrested and till 29.04.2020 he was in judicial custody. As such, he could not appear before the police and execute the bail bonds. He further submits that respondent is now ready to execute the bail bonds. In view of the other pending cases registered against respondent, he could not comply with the conditions imposed by this Court. Hence, this petition may be dismissed.

5. The bail order was passed in the year 2019. If the arguments of the learned counsel for the respondent are taken into consideration, respondent was released on 29.04.2020, absolutely no explanation is forthcoming why he has not executed the bail bonds nor appeared before the police. It appears that absolutely respondent has not respect to the orders passed by this Court and in the process of law. The Court will not come to rescue of this kind of persons.

6. Accordingly, this criminal petition is allowed by cancelling the bail to respondent/A.2 granted by this Court, dated 30.04.2019 in CrI.P.No.2079 of 2019.

Miscellaneous applications pending, if any, shall stand closed.

LALITHA KANNEGANTI, J

Date: 02.02.2022
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