

[3327]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY ,THE NINETEENTH DAY OF JANUARY

TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 295 OF 2023

Between:

Chevuri Chandra @ Chevuru Chandra Babu, S/o. Sekhar, age 56 yrs, R/o. Shyamchandra Puram, Kota Mandalam, Tirupati District.

Petitioner/Accused

AND

The State of Andhra Pradesh, rep by its Public Prosecutor, High Court of Andhra Pradesh At Amaravati.

Respondent/Complainant

Petition under Sections 437 and 439 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to release the petitioner/accused on bail pending investigation, inquiry and trial in P.R.C.No. 28/2021 on the file of I Addl. Judicial Magistrate of First Class -Cum- Junior Civil Judge Court, Tirupati which arose out of Cr.No. 201 of 2020 of SVU Campus Police Station, Tirupati District .

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds and upon hearing the arguments of Sri D PURNACHANDRA REDDY Advocate for the Petitioner and of PUBLIC PROSECUTOR for the Respondent, the Court made the following

ORDER

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.295 of 2023

Order:

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed, seeking to release the petitioner/accused on bail, pending trial in PRC No.28 of 2021 on the file of the learned I Additional Judicial Magistrate of First Class-cum-Junior Civil Judge, Tirupati.

2. Heard. Perused the record.
3. A case has been registered against the petitioner for the offences punishable under Sections 328 and 379 IPC. On 11.09.2020, petitioner was granted bail in connection with the aforesaid crime. Subsequently, as the petitioner did not appear before the Court on the date of adjournment, the learned Magistrate issued NBW as against the petitioner, and remanded him to judicial custody on production in execution of the NBW on 20.12.2022.
4. The petitioner herein filed CrI.MP No.582 of 2022 on the file of the learned X Additional District and Sessions Judge, Tirupati, seeking grant of bail, and the learned Judge, by an order dated 06.01.2023, dismissed the said petition on the ground that the petitioner was absconding after getting bail.

5. A perusal of the material on record goes to show that the petitioner was not present before the Court only on one date of adjournment. Irrespective of gravity of offence, this Court feels that an opportunity can be given to the petitioner.

6. In view of the aforesaid facts and circumstances of the case, petitioner is at liberty to file appropriate application before the Court below for grant of bail, and on filing such application, the Court below shall pass appropriate orders thereon in accordance with law and grant bail to the petitioner imposing such conditions as it deems fit and proper in the circumstances of the case.

7. The Criminal Petition is, accordingly, disposed of.

Sd/- G. SRINIVAS REDDY
ASSISTANT REGISTRAR

BB

//TRUE COPY//

SECTION OFFICER

To,

1. The I Additional Judicial Magistrate of First Class-cum- Junior Civil Judge, Tirupati.
2. The IV Additional Junior Civil Judge, Tirupati.
3. The X Additional District and Sessions Judge, Tirupati.
4. The S.H.O., S.V.U. Campus, Tirupati urban.
5. The Superintendent, Sub-Jail, Srikalahasti, Tirupati district.
6. One CC to SRI. D PURNACHANDRA REDDY Advocate [OPUC]
7. Two CCs to PUBLIC PROSECUTOR, High Court of A.P[OUT]
8. One spare copy.

psk

HIGH COURT

SRKJ

DATED:19/01/2023

BAIL ORDER

CRLP.No.295 of 2023

ALLOWED

