

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.3659 of 2023

Order:

This Criminal Petition, under Section 438 of Cr.P.C., has been filed by the petitioner/A-2, seeking anticipatory bail, in connection with Crime No.59 of 2023 of Yerpedu Police Station, Tirupathi district, registered for the offences punishable under Sections 144, 147, 148, 341, 307, 332, 353, 354 read with 120-B and 149 IPC, Section 3 of the Prevention of Damage to Public Property Act, 1984 and Section 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard. Perused the material on record.
3. This is the second bail application. The earlier bail application filed by the petitioner herein in Criminal Petition No.2723 of 2023 was dismissed by this Court on 21.04.2023.
4. Learned counsel for the petitioner submitted that since there are changed circumstances, the petitioner is entitled for grant of anticipatory bail. He submits that the petitioner moved an application before the trial Court and the same was dismissed on the ground that the petition is not maintainable, which, according to him, amounts to changed circumstance and he prayed to allow the present petition on that ground alone.

5. The mere fact that the petitioner moved an application before the trial Court and the same was dismissed would not in any way be termed as changed circumstance. Except the said submission, there is no other argument advanced by the learned counsel for the petitioner for allowing the present petition.

6. The Hon'ble Supreme Court, in a decision reported in **G.R. Ananda Babu v. State of Tamil Nadu**¹, held as follows.

"As a matter of fact, successive anticipatory bail applications ought not to be entertained and more so, when the case diary and the status report, clearly indicated that the accused (respondent No. 2) is absconding and not cooperating with the investigation. The specious reason of change in circumstances cannot be invoked for successive anticipatory bail applications, once it is rejected by a speaking order and that too by the same Judge."

7. In view of the same, the submission made by the learned counsel for the petitioner would not in any way come within the purview of changed circumstances. Since there are no changed circumstances, this Court is not inclined to grant anticipatory bail to the petitioner herein.

8. Accordingly, the Criminal Petition is dismissed.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

K. SREENIVASA REDDY, J.

Date:15.06.2023
Nsr/Bms

¹ LL 2021 SC 48

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