

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.267 of 2015

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ORDER:

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The petitioner/A2 filed the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with Crime No.95 of 2012 of V Town Police Station, Nellore District, registered for the offence punishable under Sections 408, 468, 471 and 477-A I.P.C.

By an order dated 05.12.2014, the learned I Additional District and Sessions Judge, Nellore, while rejecting the Crl.M.P.No.1754 of 2014, directed the petitioner to surrender before the V Additional Judicial Magistrate of First Class, Nellore, on or before 12.12.2014 and move an application for bail by serving notice to the Assistant Public Prosecutor in advance and the learned Magistrate was directed to dispose of the petition on the same day in accordance with law.

Learned counsel for the petitioner submits that instead of surrendering before the Court, the petitioner moved another application in Crl.M.P.No.1902 of 2014 before the Sessions Court, which was also rejected having regard to the observations made in the earlier order. Hence, he requests extension of time granted to surrender before the Magistrate.

Having regard to the circumstances of the case, the request of the petitioner is considered and accordingly he is directed to surrender before the V Additional Judicial Magistrate of First Class, Nellore, on or before 15.02.2015 and move bail

application by giving prior notice to the Additional Public Prosecutor, in which event the same shall be disposed of on the same day on merits in accordance with law, as observed earlier by the learned Sessions Judge.

Accordingly, the Criminal Petition is disposed of.

**JUSTICE C. PRAVEEN
KUMAR**

30th January, 2015
pab