

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE ELEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY



IA No. 1 OF 2022 ✓

IN

CRLA NO: 1178 OF 2017 ✓

Between:

Mandala Prakash @ Nattu, @ Prakash Mandal, S/o.Purufullo Mandal(Late),
aged about 29 years, R/o.Polluru Village, Chinttor Mandal, East Godavari
District, Andhra Pradesh.

...Petitioner/Accused No.6✓

AND

The State of Andhra Pradesh, Rep by the Public Prosecutor, High Court of
Andhra Pradesh at Amaravathi.

...Respondent/Complainant✓

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased To Extend the interim order passed in I.A.No.1 of 2021 in CRLA.No.1178 of 2017 dt.04-9- 2021 pending disposal of the main appeal on the same terms and conditions earlier granted to the petitioner/A-6 in the interest of justice and pass such other Pending disposal of CRLA No. 1178 of 2017, on the file of the High Court.

The petition coming on for hearing and upon perusing the petition and memorandum of grounds filed herein and order of the High Court dated 19-03-2019 made in I.A No.1 of 2018 and orders dated 17-04-2027, 24-07-2019 made in I.A No.2 of 2019; order dated 04.09.2021 made in I.A No.1 of 2021 and 02-11-2021 made in I.A No.2 of 2021; 02-12-2021, 31.12.2021 made in I.A.No. 3 of 2021 & 23.03.2022 made herein and upon hearing the arguments of Sri T. Khasim Basha Vali, Advocate for the Petitioner and of Public Prosecutor for Respondent, the Court made the following;

ORDER:

“This Application is filed to extend the interim order, dated 04.9.2021 passed in I.A.No.1 of 2021 in CrI.A.No.1178 of 2017, pending disposal of the main appeal on the same terms and conditions granted earlier in favour of the petitioner/A-6.

Heard the learned counsel for the petitioner/A-6 and the learned Special Assistant Public Prosecutor.

Having considered the fact that the mother of the petitioner is a heart patient and she needs attendance of the petitioner/A-6, this Court allowed the I.A.No.1 of 2021 by enlarging him on interim bail for a period of two (2) months i.e., from 05.9.2021 to 04.11.2021 on condition of executing a self bond for Rs.20,000/- (Rupees Twenty Thousand only) with two sureties for the like sum each to the satisfaction of the learned I Additional District and Sessions Judge cum Special Judge for NDPS Cases, East Godavari District and directed him to report before the Superintendent, Central Prison, Rajamahendravaram before 10.00 a.m., on 05.11.2021. The said interim order was extended from time to time till today and the petitioner is continuing on bail. ✓

When the matter has come up for hearing on 23.3.2022, this Court directed the learned Special Assistant Public Prosecutor to get instructions about the present health condition of the mother of the petitioner and adjourned the matter.

Today, at the time of hearing, learned Special Assistant Public Prosecutor, on instructions, submits that when the police have visited the house of the mother of the petitioner/A6, she stated that her son, who is the petitioner/A6 was arrested by Mothugudem Police about 5 years back and after that he was released on bail and he did not come to see her and that his wife and children are also not present at Polluru Village and their whereabouts are not known to her.

In fact on the ground of alleged ill-health of mother of the petitioner/A6, he obtained bail from this Court and his mother herself since did not state that she was suffering from ill-health and that the petitioner/her son did not turn up to the house and his whereabouts are not known to her, the petitioner is not entitled to be on bail.

In view of the same, the interim bail granted earlier is hereby cancelled and that the petitioner/A6 is directed to surrender before the Superintendent, Central Prison, Rajamahendravaram on or before 18.4.2022 at 5.00 p.m.,

Accordingly, this application is dismissed."

//TRUE COPY//

A
For A
M.RAMESH BABU
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The I Additional District and Sessions Judge-cum-Special Judge for NDPS — Cases, East Godavari District at Rajamahendravaram.
2. The Superintendent, Central Prison, Rajamahendravaram, East Godavari District. —
3. One CC to Sri T. Khasim Basha Vali, Advocate [OPUC] —
4. Two CCs to Public Prosecutor, High Court of AP [OUT] —
5. One spare copy.

MSB

HIGH COURT

SRK,J

DATED:11/04/2022

ORDER

IA NO.1 OF 2022
IN
CRLA.No.1178 of 2017

BAIL-DISMISSED

