

HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.13607 of 2015

ORDER :

The petitioner, who is accused in Crime F.No.DRI/HZU/VRU/48/ENQ-02(INT-Nil)/2015 on the file of the Senior Intelligence Officer, Directorate of Revenue Intelligence, Visakhapatnam, for the offences under Sections 132 and 135 of Customs Act, 1962, filed this petition under Section 370 read with Section 439(1) Cr.P.C., seeking to relax the condition imposed in CrI.M.P.No.2706 of 2015, dated 05-11-2015 by the Special Judge for Economic Offences at Hyderabad i.e., "to execute bond for Rs.1,50,000/- (Rupees One lakh and fifty thousand only) with two sureties for a like sum each to the satisfaction of the Court".

The trial Court while granting bail to the petitioner – accused, passed the order as follows :

"In the result, the petition is allowed. The petitioner is enlarged on bail on his executing bond for Rs.1,50,000/- (Rupees One lakh and fifty thousand only) with two sureties for a like sum each to the satisfaction of this Court. The petitioner is further directed to appear before the Senior Intelligence Officer, Director of Revenue Intelligence, Seethammadhara, Visakhapatnam, twice in a month i.e., on every 1st Monday and 3rd Monday between 10.00 am and 3.00 pm for a period of three (3) months or till filing the charge sheet whichever is earlier. He is further directed not to leave Visakhapatnam without prior permission of Senior Intelligence Office, Directorate of Revenue Intelligence. He is further directed to produce

Photostat copies of his Aadhar card and gas connection along with his mobile number. He is further directed to deposit his passport, if any and not already seized by Senior Intelligence Officer, if he is not holding any passport, to file the affidavit to that effect.”

The learned counsel for the petitioner submits that the petitioner is a student and an un-employee and he is a poor person, therefore he is not in a position to mobilize the funds for executing bond for Rs.1,50,000/-. He, therefore, requests to relax the condition of executing bond for Rs.1,50,000/- with two sureties for a like sum each to the satisfaction of the Court.

Considering the said facts and circumstances of the case, the condition i.e., “The petitioner shall execute bond for Rs.1,50,000/- with two sureties for a like sum each to the satisfaction of the Court” is hereby modified and the petitioner is directed to execute bond for Rs.1,00,000/- (Rupees One Lakh Only) with two sureties for a like sum each to the satisfaction of the Court concerned.

Accordingly, the Criminal Petition is disposed of.

JUSTICE RAJA ELANGO

30th December, 2015
skmr