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HIGH COURT OF JUDICATURE AT HYDERABAD FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH MAIN CASE No: CRIMINAL PETITION No.3188 OF 2015 PROCEEDING SHEET SL. NO.DATEORDEROFFICE NOTE 16.06.2015 RE,J Crl.P.M.P.No.4974 of 2015 This application is filed with a prayer to relax the following conditions imposed by this Court while granting anticipatory bail to the petitioner: That the petitioner shall submit his passport before the trial Court; that the petitioner shall regularly appear in the trial Court without fail; that the petitioner shall not leave the State or the Country without permission of the trial Court; and that the petitioner and the de facto complainant shall both attend for counseling by the police every Sunday. It is submitted by the learned counsel for the petitioner that after passing of the above order, the petitioner attended for counseling before the police for (8) Sundays, but the de facto complainant has not attended for the said counseling and the charge sheet is also filed. It is to be noted that this Court directed the petitioner to hand over the passport while considering the bail application and the same was complied with. In the meanwhile, the custody of the children was given to the de facto complainant pursuant to the orders passed by the Superior Court of California. Learned Public Prosecutor, on instructions, submitted that the de facto complainant is now residing in Mumbai. Now the points for consideration is, in case the passport is returned to the petitioner, whether he will appear before the trial Court to face the trial and whether his absence will cause prejudice for further proceedings before the trial Court? Learned counsel for the petitioner submitted that the conditions imposed by this Court while granting anticipatory bail to the petitioner may be relaxed since the charge sheet has already been filed and the petitioner is ready to appear before the trial Court as and when his presence is necessary. Considering the above facts and circumstances and since the petitioner is working in USA, refusal to return of passport will cause prejudice to him and hence, this Court is of the view that the passport of the petitioner can be returned to him by imposing some conditions. Accordingly, the Crl.M.P. is disposed of and the conditions mentioned above (a) to (d) are hereby relaxed on the following conditions: The petitioner is directed to deposit a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) before the trial Court for return of his passport and also for his appearance before the trial Court as and when insisted by the trial Court; The trial Court is directed to return the passport of the petitioner on the same day as and when the petitioner deposits the amount of Rs.10,00,000/-; the trial Court is directed to dispense with the presence of the petitioner on the hearing dates since the question of identity is not in dispute and the petitioner shall appear before the trial Court on the date of pronouncement of judgment; the petitioner is permitted to be represented before the trial Court through his mother as his power of attorney; the power of attorney holder of the petitioner is permitted to answer to the charges framed, and also for examination under Section 313 Cr.P.C. ___________ RE,J KTL HIGH COURT OF ANDHRA PRADESH:: HYDERABAD MAIN CASE NO: W.P.No.7741 of 2005 PROCEEDING SHEET SL. NO.DATEORDEROFFICE NOTE HIGH COURT OF ANDHRA PRADESH:: HYDERABAD MAIN CASE NO: PROCEEDING SHEET SL. NO.DATEORDEROFFICE NOTE

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