

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.9691 OF 2015

ORDER:

The present criminal petition is filed by the petitioners challenging the order, dated 31.08.2015, passed in CrI.M.P.No.500 of 2015 in Criminal Appeal No.119 of 2015 on the file of the I Additional Sessions Judge, at Nalgonda, whereby the lower appellate Court suspended the sentence of imprisonment on condition of the petitioner executing a self bond for Rs.10,000/- with two sureties and also on condition of depositing a sum of Rs.95,000/- before the trial Court.

Heard and perused the material available on record.

Learned counsel for the petitioners submitted that the second petitioner is unable to deposit the amount of Rs.95,000/- as imposed by the lower appellate Court as he is financially incapacitated. He prays this Court to set aside the condition of the petitioner depositing the said amount.

Considering the facts and circumstances of the case, once the matter is admitted for adjudication, this Court is of the view that there is no need for imposing such a condition and as such, the condition imposed by the lower appellate Court that the petitioner shall deposit an amount of Rs.95,000/- is hereby set aside and the remaining part of the Order of the lower appellate Court is confirmed.

With the above observations, the Criminal Petition is allowed. Consequently, the miscellaneous petitions filed in the criminal petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

21.09.2015
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