

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.6547 of 2015

ORDER:

This Criminal Petition is filed under Section 439(2) Cr.P.C seeking to cancel the bail granted to the Respondent No.2 herein in CrI.M.P.No.2366 of 2014 in D.V.C. No.14 of 2009, dated 26-11-2014 by the Additional Judicial First Class Magistrate, Miryalaguda.

The main grievance of the petitioner herein is that even though an order was passed on 26-11-2014 directing release of the 2nd Respondent herein on execution of a personal bond for a sum of Rs.10,000/- with two sureties, he has not paid the arrears of maintenance till date and the Court concerned also has not taken any proper steps.

Considering the said facts and circumstances of the case, this Court is of the view that the petitioner can file an application before the trial Court for cancellation of the order dated 26-11-2014 and on such application, the trial Court is directed to consider the same if the 2nd Respondent has not complied with the undertaking given by him to comply with the orders passed by the trial Court in an earlier occasion.

Accordingly, the Criminal Petition is disposed of.

JUSTICE RAJA ELANGO

Dated: 15.07.2015
skmr