

**HONOURABLE SRI JUSTICE RAJA ELANGO**

**CRIMINAL PETITION No.11320 of 2015**

**ORDER:**

This petition is filed by the petitioner – accused No.1 under Section 439(1)(b) Cr.P.C., seeking to relax the conditions imposed by the Metropolitan Sessions Judge, Cyberabad at L.B. Nagar, in CrI.M.P. No.1936 of 2014.

The petitioner is A1 in Crime No.415 of 2015, for the offences under Sections 370, 370(1), 376 and 493 IPC and Section 9, 10 and 11 of Prohibition of Child Marriage Act and Section 4 of the Protection of Children from Sexual Offences Act. The Court below granted regular bail to the petitioner in CrI.M.P. No.1936 of 2014, through order, dated 04.08.2014, with the following conditions:

- “1. That the petitioner should surrender his passport to the concerned court and if at all the property is seized by the police, the same to be submitted to the court by police.
2. The petitioner shall not leave Hyderabad without prior permission of the court.
3. The petitioner shall inform his residential address in Hyderabad and in Oman to the court and to the police.
4. Police shall intimate about pendency of this case to immigration authorities.”

The petitioner filed CrI.M.P. No.47 of 2015 before the Court below for relaxation of the above conditions. The Court below dismissed the said application vide order, dated 17.04.2015. Therefore, the petitioner filed the present petition.

Learned Counsel for the petitioner submitted that the petitioner is resident of Oman and the Oman Government has also given assurance for appearance of the petitioner before the Court concerned, as and when his presence is required.

Heard and perused the material available on record.

Considering the facts and circumstances of the case, this Court is of the view that the submissions of the learned counsel for the petitioner that the assurance was given by the Oman Government, are not enough to relax the conditions imposed against the accused. If the petitioner fails to appear before the Court concerned, the Court cannot proceed against the authorities in Oman. Therefore, taking into consideration the seriousness of the allegations against the petitioner, this Court is not inclined to relax the conditions imposed against him by the Metropolitan Sessions Judge, Cyberabad, in CrI.M.P.No.1936 of 2014, vide order, dated 04.08.2014.

Accordingly, the Criminal Petition is dismissed.

---

**RAJA ELANGO, J**

**November 20, 2015.**

KTL