

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.6360 OF 2015

ORDER:

This petition is filed by the petitioners/A.2 and A.3 seeking modification of the order, dated 21.11.2013, passed in CrI.M.P.No.4248 of 2013 by the Court of the special Judge for Economic Offences-cum-VIII Additional Metropolitan Sessions Judge-cum-VIII Additional Metropolitan Sessions Judge, Hyderabad, whereby the learned Judge directed the trial Court to give the interim custody of the passports to the petitioners/A.2 and A.3 for one year from the date of release on condition of each of them executing a personal bond of Rs.1,00,000/- (Rupees one lakh only) and shall deposit a cash of Rs.1,00,000/- (Rupees one lakh only) each with the trial Court.

Heard and perused the material.

Learned counsel for the petitioners submits that the petitioners/A.2 and A.3 are not directly involved in any of the offences alleged against them and that they are the permanent residents of Hyderabad. He further submits that they intend to go to Srilanka on pilgrimage and that they are not in a position either to furnish a personal bond for a sum of Rs.1,00,000/- each or to deposit an amount of Rs.1,00,000/- each as ordered by the lower appellate Court and as such, prays this Court to modify the said order.

Considering the facts and circumstances of the case, the order, dated 21.11.2013, passed by the lower appellate Court, is modified as under.

(i) The trial Court is directed to return the passports to the petitioners herein/A.2 and A.3 on filing of an Affidavit informing the date on which they are leaving India and the date of arrival to India.

(ii) On arrival to India, the petitioners/A.2 and A.3 are directed to produce the passports as and when required by the trial Court.

(iii) The condition imposed on the petitioners/A.2 and A.3 to execute a personal bond of Rs.1,00,000/- each and also deposit of cash of Rs.1,00,000/- each is hereby set aside.

The criminal petition is accordingly allowed. Consequently, the miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

13.07.2015

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