

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

Criminal Petition No.16670 of 2016

ORDER:

This petition is filed under Section 439 (1) & 482 Cr.P.C. seeking to relax the conditions imposed against the petitioner/ A.2 by the Metropolitan Sessions Judge cum I Additional District & Sessions Judge at Visakhapatnam in CrI.M.P.No.3913 of 2016, dated 21.11.2016 as "to furnish a personal bond of Rs.1,00,000/- and two sureties who shall furnish fixed deposits of Rs.1,00,000/- each to the satisfaction of the VII-Additional Metropolitan Magistrate, Bheemunipatnam".

Learned counsel for the petitioner submits that the petitioner is economically poor and is not in a position to comply with the conditions imposed against him due to lack of poverty. Therefore, he prays to relax the above conditions.

Learned Additional Public Prosecutor opposed the said petition.

Keeping in view the fact that the petitioner is economically poor, I am inclined to modify the conditions imposed by the Metropolitan Sessions Judge, Visakhapatnam in CrI.M.P.No.3913 of 2016 to the effect that the petitioner shall furnish a personal bond for Rs.1,00,000/-, with two sureties for the like each to the satisfaction of the VII-Additional Metropolitan Magistrate, Bheemunipatnam. The rest of the conditions shall remain intact.

The criminal petition is, accordingly, allowed.

SURESH KUMAR KAIT, J

Date: 8.12.2016
GBS