

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.765 OF 2016

ORDER:

The petitioner filed the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved over by the order, dated 9.2.2016, passed in Cr.No.A/16/2015 by the Tahsildar & Mandal Executive Magistrate at Chennur.

2. Heard and perused the material available on record.
3. By invoking the provision under Section 122(1)(b) Cr.P.C., the respondent-authority passed the impugned order whereby, the petitioner was directed to be retained in jail for 365 days i.e. from 9.2.2016 to 8.2.2017 for his default in payment of Rs.1,00,000/- as he violated the bond executed by him as envisaged under Section 110 Cr.P.C. for good behaviour for a period of twelve months.
4. Admittedly, the petitioner is a coolie. This Court is of the view that the direction by the respondent authority to the petitioner to execute a bond for a sum of Rs.1,00,000/- itself is onerous in nature and for default of payment of said huge amount, he was directed to be kept in prison for twelve months.
5. Considering the circumstances of the case, since the petitioner is in prison since 9.2.2016, the said period is directed to be considered as sentence of imprisonment in connection with the impugned order passed by the authority concerned.
6. Accordingly, this Criminal Revision Case is disposed of.

4.7.2016
AMD

-
-
-
-
-
-
-

CRIMINAL REVISION CASE No.765 OF 2016

-
-

Date: 4.7.2016

AMD