

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION No. 15883 of 2016

ORDER:

Vide present petition, the petitioners/Accused Nos.3 to 5 seek a direction, thereby relaxing the conditions imposed on them in CrI.M.P.No.3577 of 2016 dated 01.11.2016 on the file of the Metropolitan Sessions Judge-cum-First Additional District and Sessions Judge, Visakhapatnam.

While enlarging the petitioners 1 and 2/Accused Nos.3 and 4 on bail, the Metropolitan Sessions Judge directed them to execute personal bond for a sum of Rs.1,00,000/- each with two sureties each for the like sum and the sureties shall furnish fixed deposit of Rs.1,00,000/- each to the satisfaction of the Addl.Judicial First Class Magistrate, Chodavaram; whereas insofar as petitioner No.3/Accused No.5 is concerned, the Metropolitan Sessions Judge directed him to execute personal bond for Rs.50,000/- with two sureties each for the like sum and the sureties shall furnish fixed deposit of Rs.50,000/-each to the satisfaction of concerned Magistrate.

Learned counsel appearing on behalf of the petitioners/Accused Nos.3 to 5 submits that the petitioners are poor persons and they cannot afford the sureties with FDRs as directed by the trial Court. He submits that by these conditions, they shall remain in jail, and thereby their right to get enlarged on bail is denied.

Learned Additional Public Prosecutor has opposed the present petition and submits that if the conditions are relaxed, the accused may

fled away from the judicial process and nothing could be recovered from him.

Keeping in view the averments made in the instant petition and the submissions of learned counsel for the petitioners and the learned Additional Public Prosecutor, I hereby modify the order in CrI.M.P.No.3577 of 2016, dated 01.11.2016 and direct the Metropolitan Sessions Judge to enlarge petitioners 1 and 2/Accused Nos.3 and 4 on bail on their executing personal bond for a sum of Rs.1,00,000/- each with two sureties of like sum each and to enlarge Petitioner No.3/Accused No.5. on his executing personal bond for Rs.50,000/- with two sureties each for the like sum.

It is needless to state that the sureties shall furnish their attested copies of Aadhar card and the bail is subject to verification of genuineness of the residence and the other details of the petitioners/Accused Nos.3 to 5 as well as sureties. The rest of the conditions in the order dated 01.11.2016 shall remain intact.

With the above modification, this Criminal Petition is partly allowed.

Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence.

JUSTICE SURESH KUMAR KAIT

DATED 15TH November, 2016.
Msnr_x

