

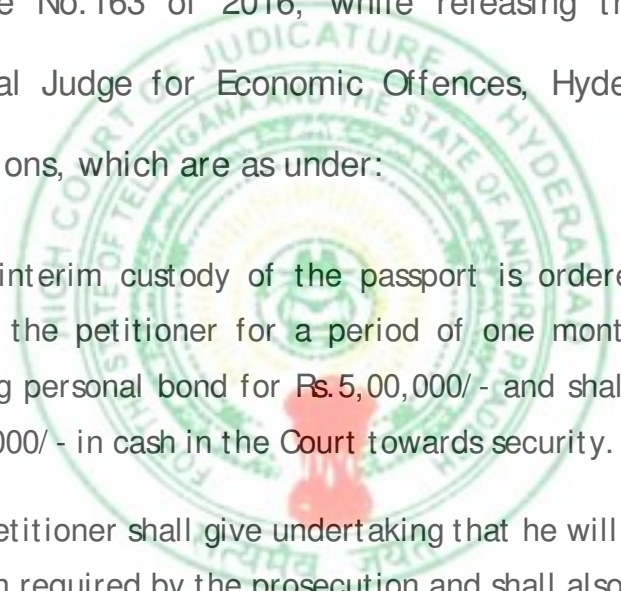
THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.13218 of 2016

ORDER :

The present Criminal petition is filed seeking relaxation of the conditions imposed in CrI.M.P.No.1602 of 2016 in Crime No.163 of 2016 on the file of the Special Judge for Economic Offences, Hyderabad.

By an order, dated 28.06.2016 passed in CrI.M.P.No.1602 of 2016 in Crime No.163 of 2016, while releasing the passport the learned Special Judge for Economic Offences, Hyderabad, imposed certain conditions, which are as under:

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- “i) The interim custody of the passport is ordered to be given to the petitioner for a period of one month on his executing personal bond for Rs.5,00,000/- and shall deposit Rs.5,00,000/- in cash in the Court towards security.
 - ii) The petitioner shall give undertaking that he will appear as and when required by the prosecution and shall also nominate any person of his choice to receive summons, in case the prosecution is launched against him and any notice or summons received by the authorized person, it shall deemed to be served on him.
 - iii) The petitioner is further directed to re-deposit his passport as soon as one month period is over as ordered from the date of taking the passport into his possession.”

Heard learned counsel for the petitioner and Public Prosecutor appearing for the respondent-State.

Learned counsel for the petitioner mainly submits that condition of deposit of Rs.5.00 lakhs is on a higher side and that it is

very difficult for the petitioner to comply with the said condition. He further submits that though the order was passed in the month of June, 2016 till date the conditions could not be complied with.

Learned Public Prosecutor opposed the application contending that the petitioner is a resident of Sur, Oman Country as such there is every possibility of he absconding if the petitioner is allowed to leave the Country.

It is to be noted that the order releasing the passport was passed in the month of June, 2016, but till date the petitioner could not deposit Rs.5.00 lakhs cash towards security.

Having regard to the facts and circumstances of the case and since the petitioner could not avail the relief though granted long back, the condition is modified by directing the petitioner to deposit a sum of Rs.3,75,000/- instead of Rs.5.00 lakhs within a period of ten days from today. The petitioner shall furnish the local address and also the address where he is going to stay in Oman Country along with telephone numbers. The petitioner shall re-deposit the passport within one month from the date of taking the passport into his possession. In case, the petitioner failed to deposit the same within one month, the deposited amount of Rs.3,75,000/- shall be forfeited to the State.

With the above modification, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

12.09.2016
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