

THE HON'BLE SRI JUSTICE RAJA ELANGO

-
CRIMINAL PETITION No.8229 OF 2016

ORDER:

This criminal petition under Section 439(1)(b) read with Section 482 of the Code of Criminal Procedure (CrPC) is filed by the petitioner/A.2 seeking to relax the condition imposed by order dated 08.10.2013, in CrI.M.P.No.1449 of 2013 in C.C.No.8 of 2012 passed by the Court of the Principal Sessions Judge for CBI Cases, Hyderabad, to the effect that 'the petitioner/A.2 shall appear before this Court on the dates fixed for hearing of the case without fail and he may remain absent only in unavoidable circumstances and with the permission of the Court'.

Heard and perused the records.

Learned counsel for the petitioner/A.2 submits that the petitioner has filed application before the Court below seeking to relax the said condition and that the Court below refused to relax the condition, but modified as follows. "He shall continue to appear in this Court on the dates fixed for hearing in the main case and he shall remain absent only in the unavoidable circumstances, by filing appropriate petition through his advocate and upon being represented by his advocate on such dates when he is unable to attend". Learned counsel further submits that the said condition is causing serious difficulty, inconvenience and prejudice to the petitioner and as such, prays this Court to relax the said condition.

Considering the facts and circumstances of the case, the criminal petition is disposed of giving liberty to the petitioner to file a fresh application under Section 205 Cr.P.C., and the Court below is directed to consider the same without being influenced by this Order or the earlier order/orders or the bail order, and pass orders in accordance with law.

The Criminal Petition is accordingly disposed of.

JUSTICE RAJA ELANGO

27.06.2016
pln