

**THE HON'BLE SRI JUSTICE SURESH KUMAR KAITH**

**CRIMINAL PETITION No. 15625 OF 2016**

**ORDER:**

Vide the present petition, the petitioner seeks direction, thereby to relax the condition imposed by the trial Court dated 25.10.2016 in CrI.M.P.No.3002 of 2016 in CrI.M.P.No.2680 of 2016 in Crime No.127 of 2016 of PS, WPS, Begumpet, Hyderabad on the file of the IV Additional Metropolitan Sessions Judge, Hyderabad and to permit the petitioner to discharge his duties as usual in Germany as a Scientist, keeping in view of his position and its importance and release the passport of the petitioner.

Heard both sides.

This Court put a specific query to the petitioner, who present in the court, that would he like to take his wife and son with him to Germany or other place where he is staying. He replied in affirmative. Consequently, this Court vide order dated 02.11.2016, directed the Station House Officer, WPS, Begumpet to ensure the presence of complainant namely Koppula Preethi, wife of the petitioner. Accordingly, the complainant is present.

This court has interacted with the petitioner as well as the complainant in Chamber and this Court is of the view that if sometime has to be given to the petitioner as well as to the complainant, they may forget whatever had happened previously and start living together.

Since the petitioner seeks direction thereby relaxing the condition imposed by the trial court vide its order dated 25.10.2016 in CrI.M.P.No.3002 of 2016 in CrI.M.P.No.2680 of 2016

in Crime No.127 of 2016, thereby to release the passport of the petitioner, as he has to discharge his duties in Germany as a Scientist.

As the male child of 2 years old from the wedlock of the petitioner and the complainant, the complainant's parents are retired they do not have sufficient means to maintain her and her child. Though she is qualified as MBA, however she is not in a position to join in any service for the reason that the petitioner/husband is in Germany and she is in Hyderabad. Thus, she has to look after that child keeping in view of his age. Thus, the complainant as well as child requires some amount for their maintenance so that they can stay comfortable.

Accordingly, the petitioner has come forward and submits that before going to Germany, he will deposit an amount of Rs.5,00,000/- (Rupees five lakhs only) to the account of the complainant bearing A/c No.2620101004436 maintained in Canara Bank, Contonment, Secunderabad and has undertaken to send at least Rs.30,000/- per month w.e.f. January 2017, if complainant and the petitioner do not stay together. The said amount shall be paid on or before 10<sup>th</sup> day of Calendar month, till further order.

Keeping in view the statement made by the petitioner, I hereby direct IV Additional Metropolitan Sessions Judge, Hyderabad to release the passport of the petitioner and allow him to go to abroad.

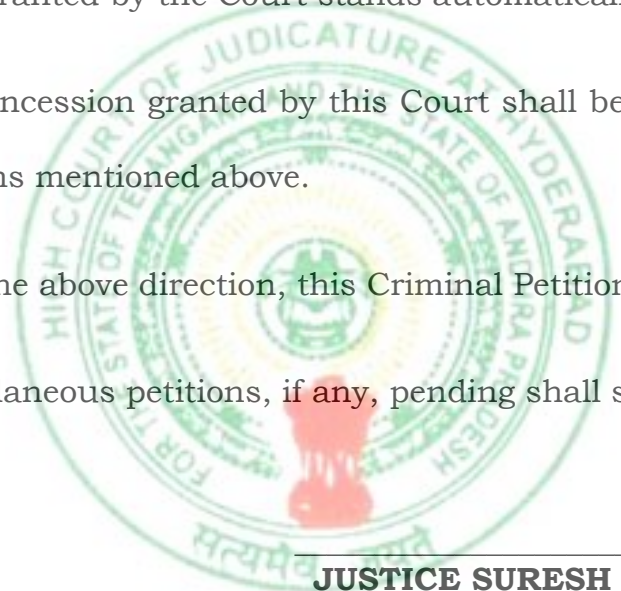
The petitioner shall appear before the aforesaid Court as and when required. Till then, the petitioner's personal appearance is exempted through his counsel.

It is needless to state that the petitioner shall leave the details of the place of stay at Germany with Court and copy of the same in advance, he will hand over to the complainant with mobile numbers. If the petitioner has to be shifted from Germany to some other country, he will communicate the same to the Court/police station concerned and to the complainant. Failing which, the concession granted by the Court stands automatically cancelled.

The concession granted by this Court shall be subject to the pre-conditions mentioned above.

With the above direction, this Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.



**JUSTICE SURESH KUMAR KAIT.**

Date :07-11-2016

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