

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

Criminal Petition No.15958 of 2016

ORDER:

This petition is filed under Section 482 Cr.P.C. seeking to relax the conditions imposed by the Metropolitan Sessions Judge cum I Additional District & Sessions Judge at Visakhapatnam in CrI.M.P.No.3219 of 2016, dated 26.10.2016 as "to furnish a personal bond of Rs.50,000/- and the two sureties who shall furnish a fixed deposits of Rs.50,000/- each to the satisfaction of the Additional Metropolitan Magistrate, Anakapalli".

Learned counsel for the petitioner submits that the petitioner is working as driver with meager salary and his family depends upon his income and hence, the petitioner is unable to obey the conditions for only lack of poverty. Therefore, he prays to relax the above conditions.

Learned Additional Public Prosecutor opposed the said petition.

Keeping in view the calling of the petitioner as a driver, earning meager salary, I am inclined to modify the conditions imposed by the Metropolitan Sessions Judge, Visakhapatnam in CrI.M.P.No.3219 of 2016 to the effect that the petitioner shall furnish a personal bond for Rs.50,000/- with two sureties for the like each to the satisfaction of the Additional Metropolitan Magistrate, Anakapalli.

The criminal petition is, accordingly, allowed.

SURESH KUMAR KAIT, J

Date: 16.11.2016
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