

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.546 of 2016

ORDER:

This Criminal Revision Case is filed by the petitioners aggrieved by order, dated 07.12.2015, passed in M.C. No.19/2015 passed by Tahsildar and Mandal Executive Magistrate, Bommanhal – 2nd respondent.

It is the case of the respondents that the petitioners entered into a bond for good behavior for maintaining peace in the village for a period of six months before the Tahsildar and Mandal Executive Magistrate in Cr.No.35 of 2015 dated 18.04.2015 for a sum of Rs.50,000/- each. Subsequently, it was reported by the police that the petitioners have not maintained the peace in the village and have committed offences in Crime Nos.45 of 2015 and 46 of 2015 and therefore, the 2nd respondent passed the impugned order impugned for forfeiture of the bond amount as per the bond given by the petitioners. Aggrieved by the said order, the petitioners filed this revision.

Heard and perused the material available on record.

Learned Counsel for the petitioners submitted that the petitioners never committed any breach of peace and tranquility in the village and that the 2nd respondent, without following the procedure as contemplated under Section 107 Cr.P.C., and without conducting any enquiry about the truth or otherwise of the information received about the offences committed by the petitioners, passed the impugned order.

Considering the facts and circumstances of the case, the Criminal Revision Case is disposed of with the following direction:

The order under revision is set aside and the respondents are directed to conduct an enquiry afresh. If it is found in the enquiry that

the petitioners have committed any offences subsequent to the execution of the bonds, alleged to have been executed by them, the authorities concerned are at liberty to pass appropriate orders.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

February 12, 2016.

KTL