

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.8084 of 2016

ORDER:

This Criminal Petition is filed by the petitioner/A-1 under Section 482 Cr.P.C. seeking to set aside the order, dated 30.03.2016, passed in Crl.M.P.No.1402 of 2016 in Crime No.40 of 2016, on the file of the XIII Additional Chief Metropolitan Magistrate, City Criminal Courts, Nampally, Hyderabad, and to relax the condition imposed by the trial Court not to leave country.

Heard and perused the material available on record.

The petitioner is alleged to have committed the offence punishable under Section 498-A IPC. In the above crime, he was released on bail. The petitioner filed the above Crl.M.P. before the Court below seeking to return his passport. The Court below dismissed the petitioner. Hence, the present petition.

The trial Court while granting bail to the petitioner/A-1 in Crl.M.P.No.1171 of 2016 in Crime No.40 of 2016 on 04.03.2016 directed the petitioner to surrender the passport and also not to leave India. The petitioner filed Crl.M.P.Nos.1402 & 1403 of 2016 before the trial Court for relaxation of the condition of the bail, dated 04.03.2016 and for the return of the passport of the petitioner, but the trial Court has dismissed the same.

The petitioner has filed earlier Crl.P.No.6160 of 2016 to relax the condition imposed on the petitioner of not to leave the country without the permission of the Court and returning the passport, as per the order, dated 04.03.2016, passed in Crl.M.P.No.1171 of 2016, wherein this Court directed to return the passport to the petitioner. Now the present petition is filed seeking permission of this Court to leave abroad since the petitioner has to report to the duty to the person concerned in China.

Learned counsel for the petitioner submitted that the

petitioner/A-1 is ready to appear before the concerned Court to face the trial.

Considering the said submissions, the petitioner is permitted to leave abroad with the following directions:

- (i) The petitioner should deposit a sum of Rs.3,00,000/- (Rupees three lakhs only) cash as security for his appearance;
- (ii) The petitioner should appear before the trial Court either by person or through a Counsel on all hearing dates;
- (iii) If the petitioner intends to absent himself or engage a Counsel to answer the question as well as to participate in the trial, he can be represented by some other accused, who are arrayed as accused in the present case.

With the above directions, the Criminal Petition is disposed of. Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

Date: 17th June, 2016

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