

THE HONOURABLE SMT JUSTICE ANIS

CRIMINAL PETITION No.14090 of 2016

ORDER

This petition under Section 482 Cr.P.C. is filed seeking to modify the order dated 26.08.2016 passed in CrI.R.P.No.17 of 2016 on the file of Special Judge for SCs & STs(POA) Act-cum-V Additional District and Sessions Judge, Medak at Sangareddy, wherein the learned Judge directed to release an amount of Rs.50 lakhs on the petitioner furnishing a Bank guarantee for the said amount through any Nationalized Bank and also directed the petitioner to make the amount available for production before the trial Court at the time of trial.

2. The case of the petitioner is that he was working as agent in supplying cotton to cotton industries by collecting the same from the farmers of Medak District and other areas. While so, on 07.12.2015 at mid night, while the petitioner was proceeding in his car bearing No.AP-31-AW-7711, some unknown offenders came in another car, sprinkled chilly power and forcibly took away the cash bag containing Rs.50 lakhs and immediately, the petitioner lodged a complaint before the police and the same was registered as Cr.No.341 of 2015. After investigation, the police apprehended the accused and recovered the said amount. The petition filed by the petitioner for return of cash of Rs.50 lakhs was dismissed by the trial Court. On revision, the petitioner was directed to furnish Bank guarantee for the amount of Rs.50 lakhs through any Nationalized

Bank for release of the said amount. Aggrieved by the same, the present criminal petition is filed.

3. Leaned counsel for the petitioner argued that though the petitioner produced relevant invoices issued by the cotton industries in Gujarat State, the Court below directed him to produce the Bank guarantee for release of the amount in stead of ordering to furnish third party security. He submitted that the petitioner wants to produce the third party security in stead of Bank guarantee as directed by the Court below for release of the amount. Thus, he seeks to modify the order impugned.

4. Considering the facts and circumstances of the case, the order dated 26.08.2016 passed in Crl.R.P.No.17 of 2016 is hereby modified directing the petitioner to furnish immovable property security of third party in stead of Bank guarantee for release of the amount and also undertake to produce the amount before the trial Court at the time of trial.

5. With the above observation, the Criminal Petition is disposed of. Miscellaneous applications, if any, pending in this criminal petition shall stand closed.

29th September, 2016
sj

ANIS,J