

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.9855 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Public Prosecutor.

2. Vide judgment dated 26.04.2016 in C.C. No.4 of 2016 on the file of the Special Judicial Magistrate Court-II, Rajendra Nagar, Ranga Reddy District, the petitioner was convicted for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and sentenced to undergo rigorous imprisonment for a period of one year and to pay a sum of Rs.9,00,000/- to the complainant as compensation in two instalments within two months from the date of the judgment. Challenging the same, he preferred Criminal Appeal No.402 of 2016 on the file of the XIII Additional District & Sessions Judge, Ranga Reddy District at L.B. Nagar, Hyderabad and also filed Crl.M.P. No.38 of 2016 seeking suspension of sentence. Vide its order dated 23.05.2016, the appellate court directed release of the petitioner on bail on his executing a personal bond for a sum of Rs.5000/- with two sureties for like sum each and on condition of petitioner depositing 1/4th of the compensation amount, which comes to Rs.2,25,000/-, within one month. The present Criminal Petition is filed challenging the order insofar as imposing

the condition of depositing a sum of Rs.2,25,000/- before the trial Court within a period of one month.

3. Learned counsel for the petitioner submits that the petitioner has fair chance of success in the appeal and that no useful purpose would be served in depositing the said sum apart from it being exorbitant. The learned Public Prosecutor opposes the same.

4. Having regard to the circumstances of the case, the impugned condition is modified and the petitioner is directed to deposit a sum of Rs.1,50,000/- (Rupees one lakh fifty thousand only) within two weeks from today, failing which the order shall stand vacated. All other conditions in the order shall remain unaltered.

5. The Criminal Petition is, accordingly, ordered.

JUSTICE C. PRAVEEN KUMAR

Date: 18.07.2016
DRK

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