

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.1612 of 2016

ORDER:

This Criminal Revision Case is filed by the petitioner challenging the notice, dated 11.05. 2016, in M.C.No.464 of 2016 passed by the Executive Magistrate at Wardhannapet, Warangal District.

It is the case of the respondent that the petitioner entered into a bond for good behavior for a period of (6) months, before the Executive Magistrate and Tahsildar on 08.01.2016 for a sum of Rs.1,00,000/-. Subsequently, it was reported that on 27.04.2016, the petitioner was found in possession of ID liquor and then, a case in COR No.174 of 2016 dated 27.04.2016 was registered against her. Basing on the same, the Tahsildar came to the conclusion that the petitioner violated the bond, and issued the notice under revision, directing the petitioner to pay Rs.1,00,000/- as agreed upon by her or show a cause, within (7) days as to why she should not be adjudged for imprisonment until the period of such bond expires. Aggrieved by the same, the petitioner filed this revision.

Heard and perused the material available on record.

Learned Counsel for the petitioner submitted that the petitioner never executed any bond for a sum of Rs.1,00,000/- for good behavior before the learned Magistrate and no proceedings were initiated under Section 110 Cr.P.C., and no order was passed under Section 111 Cr.P.C., and no summons or warrants were issued requiring the petitioner to appear as contemplated under Section 113 Cr.P.C. and no enquiry was conducted as to the truth or otherwise of the information received as contemplated under Section 116 Cr.P.C., and no final order was passed.

Considering the facts and circumstances of the case and in view

of the submissions of the learned counsel for the petitioner, this Criminal Revision Case is disposed of with the following direction:

“The notice under revision is set aside and the respondent is directed to conduct an enquiry with regard to offence alleged to have been committed by the petitioner. If it is found in the enquiry that the petitioner committed any offence subsequent to the execution of the bond, alleged to have been executed by her, the authorities concerned are at liberty to pass appropriate orders. If the authorities intend to pass any order directing the petitioner to deposit Rs.1,00,000/- or to send to the judicial custody, the said order shall be suspended for a period of 15 days, so as to enable the petitioner to approach the appellate authority concerned. Consequential proceedings, if any, are also set aside ”

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

RAJA ELANGO, J

June 23, 2016.
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