

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5454 OF 2016

ORDER:

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This Criminal Petition is filed under Section 439(1)(b) of the Code of Criminal Procedure, 1973 by the petitioner/A-1 seeking to modify the docket order, dated 1.3.2016, passed in CrI.M.P.No.199 of 2016 in C.C.No.750 of 2015 by the IX Metropolitan Magistrate, Kukatpally at Miyapur insofar as the condition of re-depositing the passport after its renewal and execution of a personal bond of Rs.2 lakhs are concerned.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioner are punishable under Section 498-A I.P.C. and Sections 4 and 6 of the Dowry Prohibition Act, 1961.
4. *Vide* impugned order, the trial Court allowed the petition filed by the petitioner for return of original passport bearing No.Z2395429 deposited before that Court and directed the office to return the passport on condition of the petitioner executing a personal bond for a sum of Rs.2,00,000/- with one surety and further, directed the petitioner to deposit the same immediately after its renewal.
5. Learned counsel for the petitioner submitted that mere renewal of the passport will not serve the purpose and the petitioner needs the passport to visit other countries in the course of his employment; that execution of a personal bond for a sum of Rs.2,00,000/- is exorbitant and hence, he prays to modify the conditions imposed by the trial Court.
6. Considering the facts and circumstances of the case and as admittedly, the wife of the petitioner, who lodged the complaint, is also

residing in U.K., the impugned order is modified as follows:

The office is directed to return the original passport bearing No.Z2395429 to the petitioner on his execution of a personal bond for a sum of Rs.2,00,000/- (Rupees two lakhs only) with one surety for a like sum to the satisfaction of the IX Metropolitan Magistrate, Kukatpally at Miyapur and he is permitted to travel abroad. However, the petitioner shall be properly represented through his counsel before the trial Court on all the hearing dates.

7. With the above modification, the Criminal Petition is disposed of. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

19.4.2016

AMD

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Date: 19.4.2016

AMD