

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

Criminal Petition No.16633 of 2016

ORDER:

This petition is filed under Section 482 Cr.P.C. seeking to relax the conditions imposed against the petitioner/ A.1 by the Special Sessions Judge for Trial of Cases under SCs/ STs (PoA) Act at Nizamabad in CrI.M.P.No.336 of 2016, dated 21.09.2016.

While enlarging the petitioner/ Accused No.1 on bail, the learned Special Sessions Judge directed the petitioner to surrender before Judicial First Class Magistrate, Bichkunda and on such surrender he shall be released on bail on his executing personal bond for Rs.20,000/- with two sureties each for a like sum to the satisfaction of Judicial First Class Magistrate, Bichkunda. On such release, the petitioner is directed to appear before the Investigation and shall report before S.H.O., Madnoor P.S. on every Sunday between 10.00 am and 12.00 noon till filing of the charge-sheet and shall cooperate with investigating agency.

Learned Counsel appearing on behalf of the petitioner/ Accused No.1 submits that the petitioner is innocent and hails from Kamalanagar, Bidar District, Karnataka State and it is difficult for him to attend the Police Station at Bichkunda, Nizamabad District, and prays to relax the condition imposed against the petitioner.

Learned Additional Public Prosecutor appearing on behalf of the respondent-State has opposed the petition and submits that the petitioner/ Accused No.1 may be directed to appear before the Investigating Agency as and when summoned/ required for the investigation purpose.

Having heard the learned Counsel appearing for the petitioner, learned Additional Public Prosecutor appearing on behalf of the respondent State and keeping in view the averments made in the accompanying affidavit, I hereby modify the order passed by the learned Sessions Judge by

relaxing the condition of requiring the petitioner/ Accused No.1 to attend the police Station on every Sunday between 10.00 am and 12.00 noon. However, the petitioner/ Accused No.1 shall attend before the Investigating Agency as and when summoned/ required for the purpose of investigation till the charge sheet is filed.

The criminal petition is, accordingly, allowed.

SURESH KUMAR KAIT, J

Date: 8.12.2016
GBS

