

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.R.C.No.295 of 2016

ORDER :

Petitioners preferred the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved by the condition imposed by the XIV Additional Metropolitan Sessions Judge, Cyberabad, Ranga Reddy District at L.B.Nagar in the order dated 06-01-2016 in Crl.M.P.No.1 of 2016 in Crl.A.No.1153 of 2015 in C.C.No.371 of 2013, whereby the lower appellate Court, suspended the sentence of imprisonment imposed by the trial Court, subject to depositing 10% on cheque amount of Rs.85,00,000/- i.e., Rs.8,50,000/- within one month in the lower court.

Heard the learned counsel for petitioners and the learned Additional Public Prosecutor and perused the material available on record.

The learned counsel for petitioners submits that the trial court failed to appreciate the fact that Ex.P1 cheque was not given towards the discharge of any legal debt and petitioners have got good case in appeal.

Considering the facts and circumstances of the case, the Criminal Revision Case is allowed setting aside the order dated 06-01-2016 in Crl.M.P.No.1 of 2016 in Crl.A.No.1153 of 2015 in C.C.No.371 of 2013, insofar as imposing a condition that the petitioner shall deposit 10% on cheque amount of Rs.85,00,000/- i.e., Rs.8,50,000/- within one month in the lower court. The rest of the order remain unaltered.

Miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE RAJA ELANGO

01st February, 2016

skmr