

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

-
CRIMINAL PETITION No.4464 OF 2016
-

ORDER:

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

2. The present Criminal Petition came to be filed under Section 439(1)(b) of the Code of Criminal Procedure, 1973, by the petitioner/Accused seeking relaxation of the condition imposed by the I Additional Assistant Sessions Judge, Cyberabad, Ranga Reddy District in the order dated 24.07.2014 in CrI.M.P.No.698 of 2014, wherein and whereunder the petitioner was directed not to leave India without permission of the Court.

3. The material on record discloses that entire investigation is over and charge sheet is also filed, which was taken on file as C.C.No.651 of 2015 on the file of the Chief Metropolitan Magistrate, Nampally, Hyderabad.

4. Learned counsel for the petitioner submits that the petitioner has to leave the country for a period of three months on business purpose and as such the condition imposed by the Court below to the extent of not to leave the country may be relaxed.

5. Learned Public Prosecutor opposed the same contending that if the petitioner leaves the country, it will be difficult to secure his presence.

6. It is to be noted that earlier this Court in CrI.P.No.10849 of 2014 and CrI.P.No.15495 of 2014, this Hon'ble Court permitted the petitioner to leave the country on certain terms and conditions. It

is not in dispute that the petitioner returned back and reported before the Court as ordered by this Court.

7. Having regard to the circumstances stated above, the petitioner is permitted to leave the country for a period of three months i.e., from 30.04.2016 to 10.08.2016 subject to his executing a personal bond for a sum of Rs.20,00,000/- with one surety for a like sum to the satisfaction of the Chief Metropolitan Magistrate, Nampally, Hyderabad. If an amount of Rs.20,00,000/- deposited by the petitioner earlier is still lying in the Court, the same can be adjusted. Further, the petitioner while leaving the country, shall furnish his place of stay and contact number to the Investigating Officer. Further, the petitioner shall return back on or before 10.08.2016 and report before the concerned Court. If the petitioner fails to come back to India on or before 10.08.2016, the trial Court shall take appropriate action, in accordance with law, including confiscation of the bond amount.

8. Accordingly, the Criminal Petition is allowed.

JUSTICE C. PRAVEEN KUMAR

Date:11.04.2016

INL