

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.223 OF 2016

ORDER:

1. This revision case is filed by the petitioner challenging the order dated 5.1.2016 passed in CrI.M.P.No.27 of 2016 in DVC No.5 of 2014 by the XIV Metropolitan Magistrate, Cyberabad at L.B. Nagar, Ranga Reddy District.

2. The 1st respondent is the wife and the 2nd respondent is the daughter of the petitioner. The 1st respondent filed the above DVC against the petitioner. As he did not attend before the Court on 31.12.2015, the learned Magistrate issued NBWs against the petitioner. The petitioner was arrested and remanded to judicial custody. Therefore, the petitioner filed the above CrI.M.P. seeking to enlarge him on bail. The learned Magistrate granted bail on the following conditions:

“The petitioner shall pay 50% of the maintenance directed by the District Court since the complainant has contended that the petitioner may flee away from the country and as he is a green card holder, he may not come back leaving his wife and daughter to starvation to their ill fate. The petitioner shall deposit the passport and pay the maintenance amount within one week. The petitioner shall not leave the country without prior permission of the Court. He is further directed to furnish a personal bond for a sum of Rs.20,000/- with two sureties.”

Aggrieved by the above conditions, the petitioner filed the present revision.

3. Heard and perused the material available on record.

4. Learned Counsel for the petitioner submitted that revision cases are pending against the orders passed by the trial Court with regard to the maintenance and knowing fully well about the said facts, the conditions were imposed by the learned Magistrate. He further

submitted that the petitioner has already paid maintenance of Rs.5,000/-, he has already surrendered his port and executed a bond for a sum of Rs.20,000/-.

5. Considering the facts and circumstances of the case and in view of the above submission made by the learned Counsel for the petitioner, this Court is inclined to pass the following order:

- i) The conditions imposed by the learned Magistrate in the order under revision i.e., the petitioner shall pay 50% of the maintenance amount within one week and he shall deposit his passport, are set aside.
- ii) The learned Magistrate is directed to return the passport of the petitioner.
- iii) This order does not preclude the Court below from passing any orders with regard to the arrears of maintenance.
- iv) Rest of the conditions shall remain.

6. Accordingly, the Criminal Revision Case is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 22.1.2016

Nn

THE HONOURABLE SRI JUSTICE RAJA ELANGO

-
-
-
-
-
-
-
-
-

CRIMINAL REVISION CASE No.223 OF 2016

DATED 22nd January, 2016.

Nn