

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1512 of 2016

ORDER:

This Criminal Revision Case is filed by the petitioner aggrieved by the notice, dated 09.05.2016, for forfeiture of bond for good behaviour in M.C.No.103/2016, dated 10.03.2016, issued by the Mandal Executive Magistrate, Rajamahendravaram Urban.

It is the case of the prosecution that the petitioner executed a bond for good behaviour for a period of six (6) months before the Mandal Executive Magistrate on 10.03.2016 for a sum of Rs.2,00,000/- , invoking provisions under Section 110 Cr.P.C., vide proceedings in M.C.No.103/2016, dated 10.03.2016 in a case in FIR No.38 of 2016-17, dated 30.04.2016. Subsequently, the petitioner was involved in similar crime during the pendency of the bond. Therefore, the Executive Magistrate, Rajamahendravaram Urban, has issued notice, dated 09.05.2016, requiring the petitioner to pay Rs.2,00,000/- as agreed upon by him or show cause as to why he should not be adjudged for imprisonment until such bond period expires, within fifteen (15) days from the date of service of the notice. Hence, the present revision is filed.

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that the petitioner never executed any bond for a sum of Rs.2,00,000/- for good behaviour before the learned Magistrate and no proceedings were initiated under Section 110 Cr.P.C. and no order was passed under Section 111 Cr.P.C., and no summons or warrants were issued requiring the petitioner to appear as contemplated under Section 113 Cr.P.C. and no enquiry was conducted as to the truth or otherwise of the information received as contemplated under Section 116 Cr.P.C., and no final order was passed. He further submitted that the petitioner

has already submitted reply, dated 10.03.2016, as per the directions issued in the notice, dated 10.03.2016.

Considering the facts and circumstances of the case, the Criminal Revision Case is disposed of with the following direction:

“The notice under revision is set aside and the authority concerned is directed to conduct an enquiry with regard to the alleged offence committed by the petitioner. If it is found in the enquiry that the petitioner committed any offence subsequent to the execution of the bond alleged to have been executed by him, the authorities concerned are at liberty to pass appropriate orders. The consequential proceedings, if any, are also set aside.”

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

RAJA ELANGO, J

Date: 16th June, 2016.

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