

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.1480 OF 2016

ORDER:

1. This Criminal Petition is filed by the petitioner seeking to reduce the sum of surety of Rs.5,00,000/-, which is imposed by the II Additional District & Sessions Judge, Parvatipuram in Crl.R.P.No.40 of 2015 vide order dated 27.1.2016.

2. Heard and perused the material available on record.

3. The petitioner, who is a third party to the crime, filed Crl.M.P.No.6824 of 2015 in Crime No.106 of 2015 of Pachipenta Police Station, before the Judicial Magistrate of First Class, Salur, under Section 457 Cr.P.C. for release of the property i.e., ammonium nitrate seized in the said crime, for interim custody. The learned Magistrate dismissed the said Crl.M.P. Aggrieved by the same, the petitioner filed Crl.R.P.No.40 of 2015 before the II Additional District & Sessions Judge, Parvatipuram. The learned Sessions Judge allowed the revision petition releasing the seized 6.5 metric tones of ammonium nitrate for interim custody of the petitioner on its executing a self bond for a sum of Rs.5,00,000/- with two local sureties each for the like sum to the satisfaction of the Judicial Magistrate of First Class, Salur. Aggrieved by the said condition, the petitioner filed the present revision.

4. Considering the facts and circumstances of the case, the above condition of execution of self bond for a sum of Rs.5,00,000/- with two local sureties each for the like sum, is modified to that of Rs.2,00,000/- (Rupees Two Lakhs only) with two local sureties each for the like sum. Rest of the conditions imposed by the learned II Additional District & Sessions Judge, Parvatipuram, shall remain.

5. Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date: 15.2.2016

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