

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO.4135 of 2016

ORDER :

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

2. The petitioner, who is accused No.1, filed the present application under Section 439(1) (B) of Cr.P.C. seeking relaxation of the condition imposed in CrI.M.P.No.79 of 2016, on the file of IV Additional Judicial Magistrate of First Class, Tirupati, dated 12.01.2016, as modified in CrI.M.P.No.675 of 2016, dated 25.02.2016.

3. By an order, dated 29.12.2015, the IV Additional Judicial Magistrate of First Class, Tirupati, while enlarging the petitioner/A-1 on bail, imposed a condition stating that the petitioner/A-1 shall attend before the S.H.O., Mahila Police Station, Tirupati, on every Sunday between 10.00 a.m. to 12.00 noon for a period of three months or until filing of charge sheet, whichever is earlier.

4. The petitioner/A-1 filed another application in CrI.M.P.No.675 of 2016 to relax the condition imposed in CrI.M.P.No.79 of 2016 on the ground that he recently joined as Software Engineer in UTC Company, Hyderabad, and he is experiencing difficulty and hardship in securing leave from his authorities to attend before the S.H.O., Mahila Police Station, Tirupati. The IV Additional Judicial Magistrate of First Class, Tirupati, allowed the CrI.M.P.No.675 of 2016 on 25.02.2016, by relaxing the condition to attend before the S.H.O., Mahila Police Station, Tirupati, on every Sunday in between 10.00 a., to 12.00 noon and further directed the petitioner/A-1 to attend before the S.H.O., Mahila Police Station, Tirupati, on every alternative

Sundays for the remaining period as per the condition in Crl.M.P.No.79 of 2016, dated 12.01.2016.

5. Learned counsel for the petitioner/A-1 submits that as the petitioner/A-1 recently joined as Software Engineer in UTC Company, Hyderabad, he is experiencing difficulty and hardship in securing the leave from his authorities and to attend before the S.H.O., Mahila Police Station, Tirupati. He further submits that the petitioner is a resident of Hyderabad.

6. Learned Public Prosecutor submits that the petitioner/A-1 has been complying with the conditions all through.

7. Having regard to the facts, the condition of reporting on every alternative Sunday for the remaining period as imposed in the order, dated 25.02.2016, in Crl.M.P.No.675 of 2016 is hereby relaxed, but however, the petitioner/A-1 shall make himself available as and when required by the S.H.O. concerned and the trial Court.

8. Accordingly, the Criminal Petition is allowed.

JUSTICE C. PRAVEEN KUMAR

Date: 30th March, 2016

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