

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION NO.4100 of 2016

ORDER :

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

2. The petitioners, who are accused Nos.2 to 5, filed the present application under Section 439(1) (b) of Cr.P.C. seeking relaxation of the condition, by reducing the surety amount imposed by the Judicial Magistrate of First Class, Nagarkurnool, on 07.12.2015, in CrI.M.P.No.754 of 2015 in Crime No.133 of 2015, of Bijinepally Police Station, registered for the offences punishable under Section 379 IPC and Section 10 of the Prohibition of Cow Slaughter and Animal Preservation Act, 1977.

3. By an order, dated 07.12.2015, the Judicial Magistrate of First Class, Nagarkurnool, allowed CrI.M.P.No.754 of 2015 and released the accused on bail on their executing a personal bond for Rs.10,000/- (Rupees ten thousand only) with two sureties for the like sum each to the satisfaction of the same Court. Further they are directed to appear before the S.H.O. concerned on every Monday between 10.00 A.M. and 12.00 Noon till filing of charge sheet. The petitioners/A-2 to A-5 are in jail since 28.09.2015.

4. Learned counsel for the petitioners mainly submits that though the order of release was passed on 07.12.2015, the petitioners/A-2 to A-5 could not obtain two sureties as they are residents of neighbouring State. Hence, prays for reduction of sureties.

5. Having regard to the facts and circumstances of the case and taking into consideration the fact that the petitioners are in jail

since last five months, the order, dated 07.12.2015, passed by the Judicial Magistrate of First Class, Nagarkurnool, in CrI.M.P.No.754 of 2015 is modified as under:

The petitioners/A-2 to A-5 shall execute a personal bond for Rs.5,000/- (Rupees five thousand only) each with one local surety for the likesum instead of a personal bond of Rs.10,000/- with two sureties for like sum each. All other conditions imposed in the order, dated 07.12.2015, in CrI.M.P.No.754 of 2015, shall remain unaltered.

6. Accordingly, the Criminal Petition is allowed.

JUSTICE C. PRAVEEN KUMAR

Date: 30th March, 2016

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