

HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Revision Case No.304 of 2016

ORDER:

This revision is preferred challenging the order dated 31-12-2015 made in CrI.M.P.No.761 of 2015 in C.A.No.163 of 2015 on the file of VII Additional District & Sessions Judge, Ongole, Prakasam District, wherein the learned Sessions Judge, while suspending the sentence imposed by the trial Court, imposed a condition that petitioner shall deposit 50% of the cheque amount on or before 27-01-2016 before the Additional Junior Civil Judge, Chirala.

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor and perused the material available on record.

The learned counsel for the petitioner submits that the learned Judge while allowing the petition filed under Section 398(1) Cr.P.C. erred in directing the petitioner to deposit 50% of the cheque amount for suspending the sentence passed by the Additional Junior Civil Judge, Chirala in C.C.No.261 of 2013.

Considering the facts and circumstances of the case, the Criminal Revision Case is allowed setting aside the order dated 31-12-2015 in CrI.M.P.No.761 of 2015 in C.A.No.163 of 2015 on the file of the VII Additional Sessions Judge, Ongole, insofar as imposing a condition that the petitioner shall deposit 50% of the cheque amount on or before 27-01-2016 is concerned.

The learned counsel for the petitioner further submits that since the petitioner could not able to deposit 50% of the cheque amount on or before 27-01-2016, warrants were issued against the petitioner.

In the circumstances, the petitioner is directed to surrender before the Court concerned and file a petition to recall the warrants issued against her and on such filing of a petition, the Court concerned is directed to recall the warrants on the same day on her execution of a bond for a sum of Rs.5,000/- (Rupees Five thousand only) with one surety for a like sum and further the petitioner is directed to appear before the concerned Court regularly.

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

RAJA ELANGO, J.

01st February, 2016

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