

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1361 OF 2017

ORDER:

The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Code'), requesting to relax the condition imposed by the learned Judicial Magistrate of First Class - Special Mobile Court, Sanga Reddy on 04.10.2016 in Calendar Case No.794 of 2016.

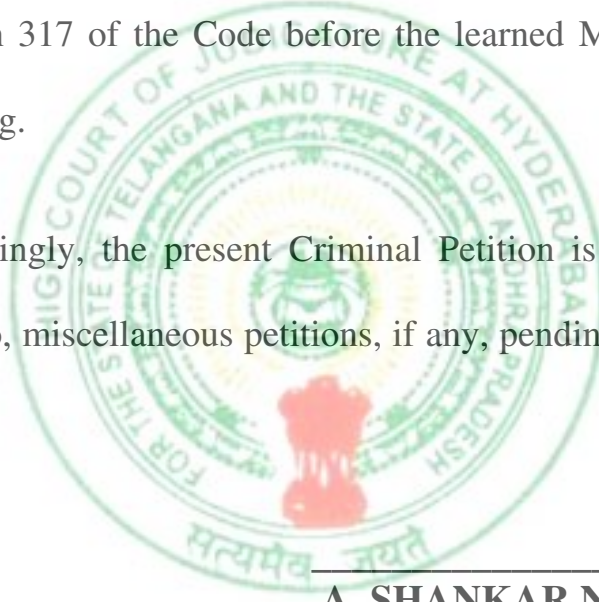
2. Heard P. Raghavendra Rao, learned counsel for the petitioner - accused No.2 and the learned Additional Public Prosecutor appearing for the State of Telangana.

3. While recalling Non-bailable Warrant under Section 437 of the Code for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, on the submission of the petitioner that he would attend the Court on every adjournment and would abide by the conditions that would be imposed, the learned Magistrate granted bail to the petitioner with a condition that he shall attend the Court on every date of adjournment and also with an observation that the bail stands cancelled if any of the conditions are violated.

4. The learned counsel for the petitioner would submit that, in fact, today the petitioner is undergoing bypass surgery in Apollo Hospital, Hyderabad, and it would be severe hardship if the said condition is not relaxed.

5. Keeping in view, the submission made by the learned counsel for the petitioner, the condition that the petitioner will abide by the condition to attend the Court on every date of adjournment in Calendar Case No.794 of 2016 is hereby relaxed for a period of three (3) months from today, but the petitioner - accused No.2 is directed to attend the Court after three (3) months regularly so as to cooperate for disposal of the case. In case, he would have any inconvenience, the petitioner can get his presence dispensed with by filing a petition under Section 317 of the Code before the learned Magistrate on the date of hearing.

Accordingly, the present Criminal Petition is allowed. As a sequel thereto, miscellaneous petitions, if any, pending in the petition, stand closed.



A. SHANKAR NARAYANA, J

February 17, 2017.

Note:

Issue Certified Copy of Order by 20.02.2017
(B/O.)
Mgr