

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.7289 of 2017

ORDER:

This petition is filed, by the petitioners/accused Nos.3, 9 and 13, under Section 440(2) Cr.P.C. seeking to reduce the surety amount to Rs.10,000/- with two sureties instead of Rs.25,000/- with two sureties as imposed by the learned IV Additional Metropolitan Sessions Judge at Hyderabad.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor.

3. A perusal of the record reveals that the petitioners are accused Nos.3, 9 and 13 in Crime No.98 of 2017 on the file of the Station House Officer, Rein Bazar Police Station, Hyderabad, for the offences punishable under Sections 324, 354, 341 and 506 read with 34 I.P.C. A perusal of the record further reveals that the petitioners filed CrI.M.P.No.2050 of 2017 in Crime No.98 of 2017 on the file of the Court of the IV Additional Metropolitan Sessions Judge at Hyderabad under Section 438 Cr.P.C. The learned IV Additional Metropolitan Sessions Judge, after considering the material available on record, vide order dated 29.06.2017 in CrI.M.P.No.2050 of 2017 granted anticipatory bail directing the petitioners to surrender before the investigating officer within 15 days from the date of the order. The time to surrender is extended by order dated 28.07.2017 in CrI.M.P.No.2360 of 2017. On such surrender, they are ordered to be released on bail on their execution of personal bond for a sum of Rs.25,000/- each with two

sureties for a likesum each to the satisfaction of the same investigating officer.

4. The only point urged by the learned counsel for the petitioners is that the condition imposed by the trial Court, while granting bail, is onerous one. The trial Court, after taking into consideration the nature of the offences alleged to have been committed by the petitioners, imposed above referred condition. The said condition was imposed by the trial Court in order to ensure the appearance of the petitioners at the time of trial.

5. Viewed from any angle, this Court is the considered view that the condition imposed by the learned IV Additional Metropolitan Sessions Judge at Hyderabad is just and reasonable. Hence, there are no grounds much less valid grounds to reduce the surety amount fixed by the trial Court.

6. Accordingly, the Criminal Petition is dismissed.

T.SUNIL CHOWDARY, J

Date: 22.08.2017
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