

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRL.P.No.207 OF 2017

ORDER:

This criminal petition is filed under Sections 437 and 439 of Cr.P.C to enlarge the petitioners/A1 and A2, who are child in conflict with law in Crime No.146 of 2016 of Saidapur Police Station, registered for the offences punishable under Sections 457 and 380 of IPC.

The petitioners allegedly committed theft of DJ articles on 04.12.2016 during early hours at Bommakal Village of Saidapur Mandal, Karimnagar District and reported on 05.12.2016 by the complainant stating that when he went to his rented room for DJ articles, he opened the door lock and found his DJ articles i.e. techno amplifier worth of Rs.10,000/-, 7000 Huja company amplifier worth Rs.6,000/-, 1.5 amplifier worth Rs.6,000/- and studio master company two mixers worth of Rs.6,000/- were stolen by some unknown offenders, which all worth Rs.28,000/- and finally requested to take action.

The contention of the petitioners is that they did not commit any offence, however, they filed bail application before the I Additional Judicial Magistrate of First Class and Principal Magistrate, Juvenile Justice Board, Karimnagar vide CrI.M.P.No.2943 of 2016. The said application was allowed on 21.12.2016 directing them to furnish present prosecution of education status and personal bond for Rs.10,000/- with two local sureties for a like sum each. Thereafter, the petitioner filed CrI.M.P.No.2510 of 2016 to modify the order dated 21.12.2016 that they are not students and accept the sureties. The said application

was ended on dismissal on the ground that the main reason for granting bail is the prosecution of studies by the petitioners and that the petitioners did not comply the directions of the Court, declined to modify the said order. Aggrieved by the same, the present criminal petition is filed.

As seen from the material on record, the petitioners are not prosecuting studies, but obtained bail misrepresenting the Court and later filed modification petition, in such a case, the conditions imposed cannot be modified. However, the petitioner is entitled to renew his request before the competent Court on any other grounds.

In the result, the criminal petition is dismissed giving liberty to the petitioners to renew their request before any competent Court of law by moving fresh bail application.

Pending miscellaneous petitions in the petition, if any, shall stand closed.



M.SATYANARAYANA MURTHY,J

17.01.2017
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