

HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL REVISION CASE No.700 OF 2017

ORDER:

Heard and perused the material on record.

2. The solvency furnished for getting bail order, since coterminous with the acquittal judgment and there is nothing from the learned public prosecutor stating against acquittal any appeal maintained, nor nothing to show that any bond taken under Section 437-A Cr.P.C., before pronouncement of acquittal judgment, for appearance before a superior court in the event of filing Appeal or Revision, as the case may be, the question of retaining the amount, despite acquittal judgment and the purpose even served, does not arise and there could be no direction for refund of the solvency amount, while granting bail, as the solvency can be under Section 446 Cr.P.C., be forfeited in the event of non-compliance with bail conditions, thereby the learned Magistrate could not have been expected any direction of the court granting bail for refund of the amount and on that ground the return is unsustainable. Hence, the lower court shall consider subject to above observations.

3. Accordingly, Criminal Revision case is disposed of with the above observations. Miscellaneous petitions pending, if any, in this case shall stand closed.

DR.B.SIVA SANKARA RAO,J

30.03.2017
SS