

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.1398 of 2017

ORDER:

This criminal petition is filed to relax the condition imposed by the VII Additional Metropolitan Sessions Judge, Hyderabad, in CrI.M.P.No.3586 of 2016 in C.C. No.281 of 2012 of C.B.I. Police Station, Hyderabad, dated 06.01.2017, wherein the learned Sessions Judge passed the following order:

“the trial court is directed to return the passport to the petitioner/A.6 on furnishing a bond for Rs.1,00,000/- (Rupees one lakh) with one surety for the likesum and the petitioner after receiving the passport has to deposit the same before the C.B.I., Delhi, and in case the petitioner/ A.6 seeks to travel abroad he has to obtain prior permission for traveling abroad and after taking permission from this court he has to take the passport from the CBI after filing a written petition with regard to his schedule of travel along with itinerary and the date on which he is returning. The petitioner shall redeposit the passport at the CBI office, Delhi, immediately after his return and if the petitioner fails to comply the said orders of this court of re-depositing his passport before the court, this order automatically stands cancelled and this will be a ground for cancellation of bail.”

Now the contention of the petitioner is that he is a retired consultant and he has to undertake journey to various countries being a consultant, whom the company engaged, and in case the same condition is being continued he will be put to inconvenience and it is difficult for him to undertake journey frequently in connection with his engagement and it is a cumbersome procedure.

The offence allegedly committed by the petitioner is a serious offence. Moreover the purpose of imposing such condition is only to

secure the presence of the petitioner before the court during trial and not intended to deny any opportunity to eke-out his livelihood.

Taking into consideration the facts and circumstances of the case, the condition to file an application before the CBI is modified permitting the petitioner to file application before the VII Additional Metropolitan Sessions Judge, while maintaining other conditions imposed by the Sessions Court.

With the above modification, the criminal petition is disposed of.

07.03.2017
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M.SATYANARAYANA MURTHY, J

