

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

[Special Original Jurisdiction]

WEDNESDAY THE TWENTY SEVENTH DAY DECEMBER
TWO THOUSAND AND SEVENTEEN

PRESENT

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION NO. 12365 OF 2017

Between:

Trinadh Laveti ... Petitioner/A-1

V/s.

The State of Andhra Pradesh
Represented by the Public Prosecutor
High Court of Judicature for the State of
Telangana & Andhra Pradesh,
Through Station House Officer,
Narsipatnam Rural Police Station,
Visakhapatnam district ... Respondent/complainant

Counsel for the Petitioner : Sri Sravan Kumar

Counsel for the Respondent : Public Prosecutor [AP]

The court made the following: [order follows]

SMT. JUSTICE T. RAJANI**CRIMINAL PETITION NO. 12365 OF 2017****ORDER :**

This Criminal Petition is filed by the petitioner/A-1 under section 440 [2] of Cr.P.C., seeking to relax the conditions “to furnish a personal bond of Rs.50,000=00 [Rs. Fifty Thousand only] with two sureties, who shall each furnish fixed deposits of Rs.50,000=00 [Rs. Fifty Thousand only] in the name of Additional Judicial Magistrate of First Class, Narsipatnam” in CrI.MP.No. 3130 of 2017 in NSC.No. 479 of 2017, dated 10/11/2017 by the Metropolitan Sessions Judge-cum-Special Judge to try the offences under Narcotic Drugs and Psychotropic Substances Act at Visakhapatnam and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

2. Heard the learned counsel for the petitioner/A-1 and the learned Public Prosecutor appearing for the respondent/State.

3. The lower Court while granting bail to the petitioner/A-1, imposed condition that the petitioner should furnish a personal bond of Rs.50,000=00 [Rs. Fifty Thousand only] with two sureties, which shall

be in the form of Fixed Deposit. The petitioner's counsel submits that the petitioner/A-1 is not in a position to furnish the sureties in the form of Fixed Deposit to an extent of Rs.50,00=00 and for the same reason he is languishing in jail instead of he being granted bail. Reliance is placed on the orders of this Court in Criminal Petition No. 15958 of 2016, dated 16/11/2016 and Criminal Petition No. 15760 of 2016, dated 17/1/2016, wherein by considering similar circumstances, this court relaxed and modified the conditions imposed by the lower court.

4. Considering the fact that the petitioner/A-1 being not in a position to furnish sureties in the form of Fixed Deposit, he did not get the benefit of bail, this Court is inclined to modify the condition by reducing the fixed deposit amount from Rs.50,000=00 [Rs. Fifty Thousand only] to a fixed deposit amount of Rs.30,000=00 [Rs. Thirty Thousand only] with two sureties for the like sum each to the satisfaction of Additional Judicial Magistrate of First Class, Narsipatnam, Visakhapatnam district and the rest of the order dated 10/11/2017 passed in Crl.MP.No. 3130 of 2017 in NSC.No. 479 of 2017 by the

Metropolitan Sessions Judge-cum-Special Judge to try the offences under Narcotic Drugs and Psychotropic Substances Act, Visakhapatnam, shall remain intact.

5. With the above modification, this Criminal Petition is accordingly allowed.

6. As a sequel, miscellaneous petitions if any, pending in this Criminal Petition shall stand closed.



JUSTICE T. RAJANI.

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION NO. 12365 OF 2017

[ALLOWED]



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