

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.320 of 2019

ORDER:

This Criminal Petition, under Section 439(1)(b) of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 & A.2 seeking modification of the order, dated 26.11.2018, passed in Crl.M.P.No.1231 of 2018 in Crime No.154 of 2018 of Wyra Police Station, Khammam District, by the learned Principal Sessions Judge, Khammam, by reducing the amount imposed in the 1st condition of the said order while granting bail to the petitioners/A.1 & A.2, i.e., from Rs.10,00,000/- to Rs.50,000/-.

2. Heard the learned counsel for the petitioners/A.1 & A.2, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The Court of Session, *vide* order, dated 26.11.2018, passed in Crl.M.P.No.1231 of 2018 in Crime No.154 of 2018, was pleased to grant bail to the petitioners/A.1 & A.2 on each of them executing a personal bond for Rs.10,00,000/- (Rupees ten lakhs only) with two sureties for like sum each to the satisfaction of the learned Additional Judicial Magistrate of First Class, Madhira. As per the record, the petitioners/A.1 & A.2 and other accused collected huge amount i.e., around Rs.4.1 crores as security deposits, fixed deposits etc., from poor persons promising to provide employment to youth and loans to the needy public. The petitioners/A.1 & A.2 are accused in eight other cases also. The petitioners/A.1 & A.2 are only employees

of the 'Happy Future Multipurpose Co-operative Society Limited, Khammam.' Direction to execute a personal bond for Rs.10,00,000/- each with two sureties each in like sum, would be a harsh condition, which the petitioners/A.1 & A.2 cannot comply. Under these circumstances, the surety amount can be reduced.

4. In the result, the 1st condition imposed by the Court of Session in the order under challenge is modified as under:

The petitioners/A.1 & A.2 are directed to be released on bail on each of them executing a personal bond for Rs.2,50,000/- (Rupees two lakhs fifty thousand only) with two sureties for like sum each to the satisfaction of the learned Additional Judicial Magistrate of First Class, Madhira.

5. The other conditions imposed by the Court of Session shall remain unaltered.

6. The Criminal Petition is ordered accordingly.

Pending miscellaneous petitions, if any, shall stand closed.

Dr. SHAMEEM AKTHER, J

01st February, 2019
Bvv