

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.538 of 2018

ORDER:

This petition is filed seeking for relaxation of the condition imposed by the Metropolitan Sessions Judge, Hyderabad, passed in Criminal Miscellaneous Petition No.3424 of 2017 in CrI.A.No.1397 of 2017, dated 28.12.2017.

2. Heard the counsel for the petitioner and the Public Prosecutor appearing for the respondent.

3. By the impugned order, the appellate court, while suspending the sentence imposed against the petitioner, imposed a condition of deposit of 40% of the cheque amount against the petitioner.

4. The counsel for the petitioner submits that the cheque was not returned on the ground of insufficient funds, but was returned on the ground of Drawers Signature differs.

5. In the light of the said fact, this court also concurs with the opinion of the counsel for the petitioner that the said condition imposed is onerous.

6. With the above observations, the Criminal Petition is allowed and the condition imposed by the Metropolitan Sessions Judge, Hyderabad, passed in Criminal Miscellaneous petition No.3424 of 2017 in CrI.A.No.1397 of 2017, dated 28.12.2017, to deposit 40% of the cheque amount, is relaxed.

As a sequel, the miscellaneous applications, if any pending,
shall stand closed.

January 29, 2018
LMV

T. RAJANI, J

