

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.2670 of 2018

ORDER:

This Criminal Petition, under Section 439(1)(b) Cr.P.C, is filed to relax the condition imposed by the III Additional District and Sessions Judge, Wanaparthy, in CrI.MP.No.176 of 2018 in Crime No.190 of 2017, dated 22.02.2018, whereby the petitioner was directed not to leave the local limits of the Magistrate Court without prior permission.

This application is filed alleging that the petitioner is working as Sepoy and, as his services are required in Indian Army, question of jumping from bail does not arise and, if this condition continues, he is required to stay away from his employment.

The order was passed by the Sessions Judge. The petitioner has to exhaust the remedy under Section 438(1) Cr.P.C. and, if for any reason, the application is dismissed, petitioner can approach this Court but, instead of following the normal procedure, petitioner bypassing the Sessions Court, straightaway approached this Court for relaxation of the conditions imposed by the Sessions Judge. Petitioner shall, therefore, approach the Sessions Judge and, if the Court declines to relax the conditions, he is at liberty to approach this Court.

The Criminal Petition is, accordingly, dismissed.

M.SATYANARAYANA MURTHY,J

Date :28.03.2018
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