

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.2663 OF 2017

ORDER:

Heard learned counsel for the petitioner/accused, learned Additional Public Prosecutor for respondent State and perused the record.

This petition is filed under Section 482 Cr.P.C. to modify the order dated 18.01.2018 passed in CrI.M.P.No.3729 of 2017 in Crime No.143 of 2017 by the Judicial Magistrate of First Class, Rampachodavaram.

This Court in similar circumstances, passed order dated 06.12.2017 in CrI.P.No.12000 of 2017 and the operative portion of the order reads as under:

“During pendency of investigation, the trial Court while ordering release of the vehicle imposed, seven conditions, and the first condition is as under:

“The petitioner shall execute a personal bond of Rs.1,50,000/- (Rupees one lakh fifty thousand only) with one cash surety for a like sum and should be deposited in any Nationalised bank in favour of that Court. The surety holder must have permanent abode and he shall file any proof of the same.”

Now this condition is challenged on the ground that it is an onerous condition and requested to modify the condition.

Keeping the value of the property and complicity, the petitioner, being a third party, is bound to produce the vehicle, the cash surety is converted into security of immovable property with one surety within the local limits of the Court.

Accordingly, the Criminal Petition is disposed of.”

In view of the above, let there be a similar direction in this criminal petition.

Accordingly, the Criminal Petition is allowed.

The Miscellaneous Petitions, if any, pending in this Criminal
Petition shall stand closed.

Dr. SHAMEEM AKTHER, J

05th March, 2018
ssp

