

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.3525 OF 2018

ORDER:

This criminal petition, under Section 428 of the Code Of Criminal Procedure, 1973 (for short 'Cr.P.C.'), is filed by the petitioner/ A.2 to relax the condition imposed while granting anticipatory bail on 19.07.2002 in CrI.M.P. No.1873 of 2002 on the file of the Special Judge for Economic Offences Hyderabad for a period of 3 months by directing the learned Sessions Judge to release the passport of the petitioner bearing B-1625443 which was deposited in CC No.646 of 2005 on the file of the XIV Additional Chief Metropolitan Magistrate, Hyderabad.

The contention of the petitioner is that he has been performing UMRAH (the holy pilgrimage) every year without fail. The petitioner has been seeking direction every year for return of the passport for the purpose of obtaining VISA and resubmitting the same after visiting and undertaking UMRAH every year.

The Special Public Prosecutor reported that the petitioner has been complying the directions issued by this Court for the last more than two years.

As seen from the record, earlier, this court by its order dated 12.05.2016 in CrI.P.No.6700 of 2016 relaxed the condition for a period of two months by permitting the petitioner to leave the counter after obtaining necessary VISA and also for return of the passport on certain terms and conditions. In view of earlier order passed by this court in CrI.P.No.6700 of 2016 dated 12.05.2016 and the order dated 28.04.2017 in CrI.P.No.3392 of 2017, the request of the petitioner can be considered on certain terms and conditions.

Accordingly, the criminal petition is allowed and the conditions imposed by the learned Special Judge for Economic Offences, Hyderabad, through order dated 19.07.2002 passed in crl.M.P.No.1873 of 2002 is hereby relaxed for a period of two months by permitting the petitioner to leave country by taking back the passport from the learned Magistrate subject to execution of a bond on a stamp paper worth of Rs.100/- a security for Rs.50,000/- by cash or F.D.R. or immovable property with title deed deposit with an undertaking to appear and resubmit the passport. For any non-compliance, the security or its value by realization will be forfeited.

04.04.2018
BV

M.SATYANARAYANA MURTHY, J

