

HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.4142 OF 2018

ORDER:

Heard.

This is an application to relax the conditions imposed in Para 16 of the default bail order, dated 02.01.2017, passed by the learned Sessions Judge, Ananthapuramu in CrI.M.P. No.1160 of 2016 in Crime No.237 of 2012 of Ananthapuramu I Town Police Station, registered for the offences under Section 420 of I.P.C. and Sections 4 and 5 R/w 2(C) of Prize Chits and Money Circulations Schemes (Banning) Act, 1978 and Section 5 of A.P. Protection of Depositors of Financial Establishments Act, 1999.

The main impugment is on the conditions 1 to 3. The petitioners are A-6, A-10 and A-11. So far as the first condition of Rs.50,000/- each with two sureties for executing a bond to the satisfaction of the Court concerned, there is nothing to interfere and so far as the second condition of separate sureties in respect of each case concerned, if at all there is a total sum of cash deposit or immovable property security given by one surety sufficient for the release of several of the accused, the Court can consider and to that extent the 2nd condition is altered and so far as the 3rd condition is of one of the two sureties shall be local also relaxed if it is a surety from the State of Andhra Pradesh.

Learned Public Prosecutor opposed saying unless the local sureties are furnished, if the accused jump bail, it is difficult to secure them.

In fact, that contention is not tenable as whether surety is local or non-local, it is the bond that is enforceable for due production from the

fairness of the surety to see that accused shall appear and to be produced.

Accordingly, with the above modification, the Criminal Petition is allowed in part.

In consequence, miscellaneous petitions, if any, pending in this Petition shall stand closed.

Dr.B.SIVA SANKARA RAO, J

Date: 06.06.2018.
Dsh



HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

92



07062018

CRIMINAL PETITION No. 4142 OF 2018

Date. 06.06.2018

DSH