

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No. 4137 OF 2018

ORDER:

This petition is filed, under Section 439 (1) (b) of the Code of Criminal Procedure, 1973, to relax the conditions imposed by order dated 24-10-2017 in Criminal M.P.No. 2340 of 2017 in RC No. 08 (A)/2016-CBI/Hyderabad on the file of the Court of Principal Special Judge for CBI Cases, Hyderabad (for short, 'the Court below'), while granting bail to the petitioner-accused No. 2 and modified by this Court by order dated 08-02-2018 in Criminal Petition No. 1005 of 2018.

2. As seen from the material on record, the Court below, while granting bail to the petitioner, imposed the following conditions:

"That the petitioner shall stay at Hyderabad, shall not leave Hyderabad without prior permission of the Court and shall report every day before DIG (HOB), CBI, Hyderabad once between 11.00 a.m. and 1.00 p.m. until further orders, and shall deposit his passport immediately in the Court, if any, and if he did not have a passport, he shall file an affidavit to that effect in the Court."

Thereafter, the petitioner approached this Court for relaxation of the conditions imposed by the Court below. This Court by order dated 08-02-2018 in Criminal Petition No. 1005 of 2018 modified the conditions imposed by the Court below as under:

"Hence, considering both the submissions, this Court is inclined to relax the condition of the petitioner reporting before DIG, CBI on every Monday to that of the petitioner/A.2 shall report before DIG, CBI on every alternative Monday i.e., on first and third Monday of every months. The rest of the order shall remain intact."

Feeling not satisfied, the petitioner filed Criminal Petition No. 2507 of 2018 and this Court by order dated 15-03-2018 dismissed the same. Within one month thereafter, the petitioner again renewed his request without any changed circumstances and that too different crimes are registered against the petitioner on the file of different stations. If the conditions are relaxed, it is difficult to secure his presence and there is every possibility of his interference with further investigation. Therefore, this Court is not inclined to relax the conditions imposed by the Court below and confirmed by this Court as there are no changed circumstances and the petition is liable to be dismissed.

3. The criminal petition is accordingly dismissed. Pending miscellaneous petitions if any shall stand dismissed in consequence.

17-04-2018.
JSK

M.SATYANARAYANA MURTHY, J.

