

THE HON'BLE SRI JUSTICE P. KESHA RAO
CRIMINAL REVISION CASE NO.1379 OF 2018

ORDER:

Heard the learned counsel for the petitioners and the learned Public Prosecutor.

The present Criminal Revision Case is filed aggrieved by the orders dated 18.4.2018 passed in CrI.M.P.No.1236 of 2018 in C.C.No.1011 of 2015 on the file of the Court of the III Additional Chief Metropolitan Magistrate, Hyderabad.

The facts of the case are that the petitioners are Accused Nos.2 and 3 in C.C.No.1011 of 2015 for the offences Under Sections 448, 427, 326 and 354 IPC. During the pendency of the said C.C., the petitioners herein filed a petition in CrI.M.P.No.1236 of 2018 seeking permission of the Court to go to Saudi Arabia (Umra pilgrimage) for a period of two months. After considering the said petition, the Court below was pleased to allow the petition subject to furnishing bank guarantee for an amount of Rs.5,00,000/- each in favour of the complainant, and if the petitioners fail to return, the complainant was given liberty to encash the bank guarantee. In addition to it, the petitioners were also directed to execute an affidavit to the effect that after they would return from their pilgrimage by

30.6.2018 they were directed to deposit their passports before the Court after their return. Aggrieved by the said orders to the extent of imposition of furnishing of bank guarantee for a sum of Rs.5,00,000/- each, the present Criminal Revision Case is filed.

Learned counsel for the petitioners submitted that the petitioners are not financially sound and their financial condition cannot permit them to furnish bank guarantee for an amount of Rs.5,00,000/- each. It is their life ambition to visit the holy place of Mecca and perform Umra. The children of the petitioners have provided the amenities to them since they are dependants on them.

In the above circumstances, learned counsel for the petitioners requested this Court to reduce the bank guarantee amount.

Learned Public Prosecutor fairly concedes that the amount of bank guarantee as fixed by the Court below is onerous.

In the above facts and circumstances, this Court deems it appropriate to reduce the bank guarantee amount to Rs.1,00,000/- each from Rs.5,00,000/-. The other conditions imposed by the Court below while allowing the said petition have to be complied with by the petitioners. It is

needless to observe that though in the petition they sought permission to go to Saudi Arabia for a period of two months from 16.4.2018 to 30.6.2018, the petitioners shall return back by 15.7.2018 and report the same before the Court below by depositing their passports.

With the above observations, this Criminal Revision Case is disposed of.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

Date: 8.6.2018

KPM



P. KESHAVA RAO,J