

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

Crl.P. No.6152 OF 2018

ORDER:

This criminal petition is filed under Section 482 Cr.P.C. to quash the order dated 30.04.2018 passed in Crl.M.P.No.249 of 2018 in Crime No.88 of 2017 by the Judicial Magistrate of First Class (Special Mobile) Karimnagar to relax the conditions imposed in para 8 of the order while releasing the passport for interim custody on the ground that Condition Nos.1 and 3 are unreasonable, harsh and requested to modify the said conditions.

During hearing, learned counsel for the petitioner contended that insisting the petitioner to execute bond for Rs.10 lakhs with two sureties and to deposit Rs.10 lakhs for return of passport for temporary custody is harsh and virtually amounts to denial of relief and prayed to set aside the same.

The offence alleged against the petitioner is under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act. The reason for return of the passport is to go to Soudi Arabia and to return within three months after settling service benefits payable to him by the employer. Therefore, in view of the facts and circumstances of the case, the conditions imposed by the Magistrate are appears to be harsh and virtually denied the relief in the petition and in view of the incapacity of the petitioner to comply the directions. Therefore, taking into consideration of the facts and circumstances of the case, Condition No.1 is modified as follows:

The petitioner is directed to execute personal bond of Rs.3 lakhs to the satisfaction of the Court, undertaking to appear in this Court after a period of three months.

and Condition No.3 also modified as follows:

The petitioner shall also furnish two sureties in the sum of Rs.5 lakhs each to the satisfaction of the Court, for his return from abroad and appearance before the Court.

With the above modification, the criminal petition is disposed of.

Pending miscellaneous petitions in the petition, if any, shall stand closed.

M.SATYANARAYANA MURTHY,J

18.06.2018
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