

HON' BLE SRI JUSTICE Dr. B. SIVA SANKARA RAO

CRIMINAL PETITION No.7398 of 2018

ORDER:

This petition is filed by the petitioner/ A2 to relax the conditions of bail and permission to leave the country by taking back his passport from the Court.

2. The petitioner is A2 in Crime No.167 of 2016 of Cyber Crime, C.C.S, Detective Department, Hyderabad. The crime is registered for the offences punishable under Sections 420, 406, 120(B) I.P.C and Section 66(c)(d) ITA Act, 2008. In the said crime, he was taken to judicial custody on 19.01.2018 after more than 1½ years to the registration of crime dated 21.07.2016, having been apprehended at the Airport as per the remand report. He was granted regular bail in CrI.MP.No.873 of 2018 on 05.02.2018 by the XII Additional Chief Metropolitan Magistrate, Hyderabad, on execution of self-bond with two surities with a condition of surrendering of his passport and to appear before the concerned Station House Officer on every Sunday. He is now seeking relaxation of condition to surrender the passport bearing No.Z3708083 and to appear before the Station House Officer on every Sunday in saying police did not file charge sheet so far, by completion of investigation and he already entered a contract as General Manager for 2 years with Taj-AArab Building Maintenance in UAE and his documents of

qualifications etc., with the employer and because of he is arrested herein, even granted bail, he is unable to go to abroad to continue the employment, which causes hardship and loss to him and hence to relax. The very application of him speaks return of passport to leave the country including by relaxing the condition of attending before the Station House Officer on every Sunday to facilitate leaving the country. He did not assure how he will face trial in the event of filing of final report by appearance and receiving of copies and answering the charge. What the paper he filed even from page No.22 of dated 13.06.2018 from the so called employer of only three months time of validity, if left the country to return and to enter the country back to resume the job on 21.07.2018, which is expired by now, leave about the contract of employment dated 16.02.2017 mentions for two years even remained to perform job. The only ground on which he is seeking to go abroad is police did not complete the investigation and file charge sheet and there is no likelihood of filing of any final report soon.

3. The learned Public Prosecutor opposed the bail saying investigation mostly completed and charge sheet is going to be filed soon by examining some more witnesses and 11 witnesses still to be examined, who are the victims in the hands of the accused/ petitioner herein.

4. As the crime is of the year 2016, the police are directed to complete the investigation and file final report within one month from the date of receipt of copy of this order. On the moment the final report filed, the accused can receive copies and answer from hearing on charge and if at all any special vakalat permission provided to him thereafter any concession to leave the country can be proved for facing trial, appearance and 313 Cr.P.C. examination. Moreover, no assurance is given by the accused to face the above.

5. Accordingly, the Criminal Petition, rather than dismissal, is disposed of.

6. Consequently, miscellaneous petitions, if any shall stand closed.

JUSTICE Dr. B. SIVA SANKARA RAO

Date: 03.08.2018

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