

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.13170 OF 2018

ORDER:

This Criminal Petition, under Section 439(1)(b) of the Code of Criminal Procedure, 1973, is filed by the petitioners/A-5 and A-6 seeking to reduce the amount imposed in the 1st condition by the learned Principal Sessions Judge, Khammam while granting bail in CrI.M.P.No.1163 of 2018 in Crime No.245 of 2018 of Khammam Rural Police Station, Khammam on 08.11.2018 i.e., from Rs.10 lakhs to Rs.50,000/-.

2. Heard the learned counsel for the petitioners/A-5 and A-6, the learned Additional Public Prosecutor representing the respondent/State and perused the record.

3. The Court of Session, *vide* order, dated 08.11.2018, in CrI.M.P.No.1163 of 2018, was pleased to grant bail to the petitioners/A-5 and A-6 on each of them executing a personal bond for Rs.10,00,000/- (Rupees ten lakhs only) with two sureties for like sum each to the satisfaction of the learned II Additional Judicial Magistrate of First Class, Khammam. As per the record, the petitioners/A-5 and A-6 and other accused collected huge amount i.e., around Rs.4.10 crores as security deposits, fixed deposits etc., from poor persons promising to provide employment to youth and loans to the needy public. The petitioners/A-5 and A-6 are accused in eight other cases also. The petitioners/A-5 and A-6 are only employees of the 'Happy Future Multipurpose Co-operative Society Limited, Kodad.' Direction to execute a personal bond for Rs.10,00,000/- each with two sureties each in

like sum, would be a harsh condition, which the petitioners/A-5 and A-6 cannot comply. So, under these circumstances, the surety amount can be reduced.

4. In the result, the 1st condition imposed by the Court below is modified as under:

The petitioners/A-5 and A-6 are directed to be released on bail on each of them executing a personal bond for Rs.2,50,000/- (Rupees two lakhs fifty thousand only) with two sureties for like sum each to the satisfaction of the learned II Additional Judicial Magistrate of First Class, Khammam. The other conditions imposed by the Court below shall remain unaltered.

5. Accordingly, the Criminal Petition is ordered.

6. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

DR.JUSTICE SHAMEEM AKTHER

Date : 12.12.2018
AMD

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