

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Criminal Revision Case No.137 of 2019

ORDER:

Impugning the order dated 06.02.2019 of the learned Metropolitan Sessions Judge in CrI.M.P.No.271 of 2019 in CrI.M.P.No.5847 of 2018 in Cr.No.521 of 2018 of P.S. Shamirpet, which crime was registered for the offences punishable U/s.420 IPC and Section 5 of the Andhra Pradesh Protection of Depositors Financial Establishment Act, 1999, from the bail order granted in CrI.M.P.No.5847 of 2018 subject to conditions on 07.01.2019 and from the conditions to appear before the SHO on every Wednesday and Sunday between 10.00 a.m. to 11.00a.m. until further orders shown not complied with, from which the prosecution moved the application to cancel the bail, the said cancellation order passed supra, present petition is filed.

2. Along with the petition, the contentions and submissions in particular are that, the Police are registering one after other crimes and getting bail orders to appear in the police station, in compliance with the conditions, there is some lapse and it is not intentional or deliberate and that is explained before the learned Sessions Judge and he should have been considered at behest by imposing any costs rather than canceling the bail for not a case of they are absconding and not even a case of any other crimes bail not granted.

3. The learned Public Prosecutor also submit that if at all they are prepared to pay any heavy cost to the Army Welfare Fund, the concession

can be considered subject to their undertaking before the learned trial Judge to comply with the conditions imposed in the original bail order supra.

4. Having regard to the above, the Criminal Revision Case is allowed subject to costs of Rs.1 lakh to the Army Welfare Fund by setting aside the impugned order of the learned Sessions Judge dated 06.02.2019 in CrI.M.P.No.271 of 2019 by canceling the bail order dated 07.01.2019 in CrI.M.P.No.5847 of 2018 and by restoring the bail order which is subject to the condition of their filing proof of said payment by obtaining DD to the Army Welfare Fund before the learned Metropolitan Sessions Judge within one week from today and subject to their giving undertaking memo before the learned Sessions Judge to comply with the conditions of bail order to appear regularly hereafter before the Police.

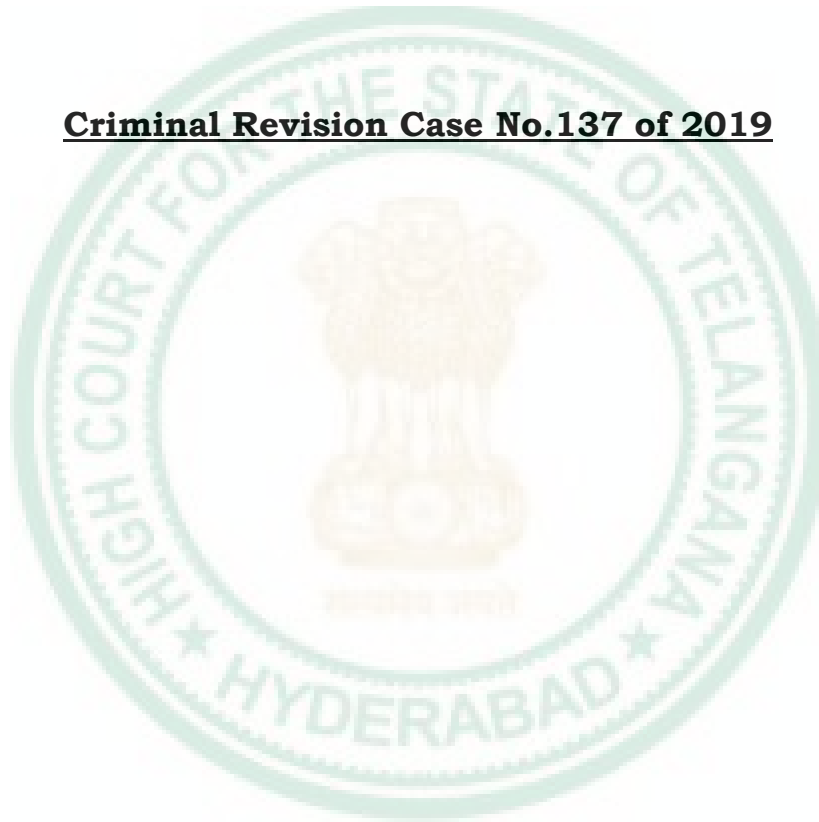
5. Miscellaneous petitions pending, if any, in this petition, shall stand closed.

Dt.18.02.2019
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Dr. B. SIVA SANKARA RAO, J

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Criminal Revision Case No.137 of 2019



18th February, 2019

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