

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

CRIMINAL PETITION No.2155 of 2019

ORDER:

By way of this petition filed under Section 482 Cr.P.C., the petitioner, A.3 in S.C.No.585 of 2011 on the file of the learned Additional Metropolitan Sessions Judge for Trial of Communal Offences Case-cum-VII Additional Metropolitan Sessions Judge, Hyderabad, assails the validity of the order dated 19.02.2019 passed by the said Court in CrI.M.P.No.231 of 2019 filed in S.C.No.585 of 2011. By way of the aforestated CrI.M.P.No.231 of 2019, the petitioner-A.3 sought issuance of a No Objection Certificate from the Court below to leave India for a month. However, by the impugned order dated 19.02.2019, the Court below dismissed the petition.

Mr.Mohd.Adnan, learned counsel for the petitioner-A.3, would point out that the petitioner-A.3 needs to go to Abu Dhabi in connection with his business activities and even in the year 2018, he was permitted to do so by the Court below, *vide* order dated 13.11.2018 in CrI.M.P.No.161 of 2018 in S.C.No.585 of 2011.

The learned Assistant Public Prosecutor, State of Telangana, would inform this Court that the petitioner-A.3 had earlier violated the conditions of bail and therefore, it would be necessary to ask for some security from him to ensure his presence.

In the light of the aforestated circumstances and as the petitioner-A.3 was permitted to go abroad for a month even in the year 2018 and returned without creating any difficulty, this Court is of the opinion that the petitioner-A.3 may be permitted to go Abu Dhabi for a period of one month in connection with his business activities upon his furnishing either cash/FDR security or immovable property security of the value of

Rs.2,00,000/- to the satisfaction of the learned VII Additional Metropolitan Sessions Judge, Hyderabad.

The criminal petition is allowed to the extent indicated above. In the event of default by the petitioner-A.3, the said security or the realized value to that extent shall stand forfeited.

JUSTICE SANJAY KUMAR

Date:25.04.2019

PGS/GJ

