

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

CRIMINAL PETITION No.2725 of 2019

ORDER:

This Criminal Petition, under Section 482 Cr.P.C., is filed seeking relaxation of conditions imposed by the Court below in CrI.M.P.No.215 of 2019 in Cr.No.198 of 2016 on the file of the Additional Metropolitan Sessions Judge for trial of Jubilee Hills Car Bomb Blast Case-cum-Additional Family Court-cum-XXIII Additional Chief Judge-cum-IX Additional Metropolitan Sessions Judge, Hyderabad, while granting anticipatory bail to the petitioner.

2. Heard the learned counsel for the petitioner/accused, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The petitioner submits that he is a medical doctor by profession and he has been falsely implicated in Crime No.198 of 2016 and he has obtained anticipatory bail from the Court below and the petitioner has deposited his passport before the Court below on 12-02-2019. He further submits that he is a Government employee in Muscat, Oman and his wife and children are also residing there. He filed an application in CrI.M.P.No.1462 of 2019 before the Court below permitting him to travel Oman and also to handover passport which was surrendered to the Court below so as to enable him to travel Oman. The

court below vide orders dated 04-05-2019 dismissed the said application. Challenging the same, this Criminal Petition is filed.

4. Petitioner contends that he is a law abiding citizen and he will cooperate with the investigating authorities as and when required. His wife has delivered a baby girl on 15-03-2019 at Oman and he needs to travel urgently to Oman to take care of his wife and children. He further contends that he is willing to deposit Rs.5.00 lakhs in the form of FDR before the Court below to establish his *bona fides* that he would come back as and when required by the investigating agency and Court below during the trial in the said crime.

5. Learned Public Prosecutor appearing for the respondent-State contends that on certain conditions, the passport of the petitioner may be handed over so as to enable him to travel Oman.

6. In the light of the above circumstances, this Court is of the considered view that ends of justice would be met, if the petitioner is permitted to take passport to travel abroad i.e. Oman subject to the condition that the petitioner furnishes Rs.5.00 lakhs (Rupees Five Lakhs only) in the form of FDR before the Court below within two weeks from the date of receipt of a copy of this order and on such deposit of Rs.5.00 lakhs in the form of FDR in the Court below, the Court below shall handover the passport to the petitioner. However, the petitioner shall cooperate with the investigating agency and also the Court below during

the trial in the said crime. The petitioner shall appear before the Court below as and when required.

7. Accordingly, the Criminal Petition is allowed. No costs.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 15.05.2019

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