

THE HONOURABLE JUSTICE G. SRI DEVI

Writ Petition No.23045 of 2019

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, aggrieved by the notice of forfeiture of Bond for good behaviour in C.No.C/62/2019 dated 01.10.2019 issued by the 3rd respondent-Tahsildar and Executive Magistrate, Boinpally Mandal, Rajhanna Sircilla District.

2. Heard and perused the material on record.

3. Learned counsel for the petitioner submits that the authorities concerned erroneously issued a notice of forfeiture of bond for good behaviour requiring the petitioner to pay penalty of Rs.50,000/- or to show cause within seven days as to why he should not be adjudged for imprisonment until such Bond period expires. He further submits that even though the show case notice was issued without any enquiry, the authorities concerned are directed the petitioner to be remanded to judicial custody.

4. Having regard to the facts and circumstances of the case, the impugned notice of forfeiture of bond for good behaviour dated 01.10.2019 is set aside, and the petitioner is directed to submit his explanation within two weeks from today, and on such explanation, the 3rd respondent is directed to conduct enquiry as per the provisions of the Code of Criminal Procedure and to pass appropriate orders. If the petitioner is aggrieved by the orders to be

passed by the authorities concerned, he is at liberty to approach the proper forum for an appropriate relief.

5. Accordingly, the Writ Petition is allowed.

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

25th October, 2019.

G. SRI DEVI, J

sj

