

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.7419 OF 2019

ORDER:

The present Criminal Petition is filed under Section 439 (1) (A) read with 482 of Cr.P.C., seeking relaxation of condition No.1 imposed while releasing the Tata Indica Vista Car bearing No.TS01 EE 3457, on 26.09.2019 in CrI.M.P.No.547 of 2019 in POR No.3/ 44/ Forest Range Officer, Mancherial, File No.131/ OR MNCI/ 2018-2019, on the file of the I Additional District and Sessions Judge, Adilabad.

By the order impugned, the learned District and Sessions Judge, Adilabad, directed to return the property ie., Tata Indica Vista Car bearing No. TS 01 EE 3457, to the petitioner for interim custody, on his furnishing irrevocable and renewable bank guarantee for a sum of Rs.1,30,000/- with one surety.

Learned Counsel for the petitioner contended that the petitioner belongs to a poor family and he is plying the said Car for livelihood as driver-cum-owner, he is unable to furnish such bank guarantee and therefore, he seeks to modify the said condition.

The petitioner is owner of the subject vehicle and if the vehicle is kept idle for a long period, there is every possibility of it getting damaged. Therefore, ends of justice would be met if the petitioner furnishes the personal bond with sureties instead of bank guarantee.

Accordingly, the Criminal Petition is disposed of and condition No.1 imposed in the impugned order is modified and the petitioner/ owner of vehicle is directed to furnish a personal bond for a sum of Rs.1,00,000/- with two sureties for a like sum each to the satisfaction of the concerned Court, instead of furnishing bank guarantee for a sum of Rs.1,30,000/- with one surety.

Miscellaneous Petitions, if any, pending shall stand closed.

19.11.2019
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JUSTICE G. SRI DEVI

