

HIGH COURT FOR THE STATE OF TELANGANA

**MONDAY, THE TWENTY SECOND DAY OF MARCH
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 1916 OF 2021

Between:

Furkhan Abu Baker Kholani @ Furcjan Bin Abubakar Kholani, S/o. Abubakar Bin Hassan Khaloni aged 24 Years, R/o H.No-17-1-166, Yakutpura, Kotla Alijah, Chameli Ka Mandava, Hyderabad.

...PETITIONER/ACCUSED(Sole)

AND

The State of Telangana, Rep. by its Public Prosecutor, High court at Hyderabad, Hyderabad.

...RESPONDENT/COMPLAINANT

Petition under Section 439 (1 (b)) of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to set aside the order in CrI MP.No 172/2021, dated 22/02/2021 passed by the VIII Addl. Chief Metropolitan Magistrate, Hyderabad and relax the condition imposed by VIII Addl. Chief Metropolitan Magistrate, Hyderabad while granting bail to the Petitioner vide order dated 28/01/2021 wherein it is ordered that the Petitioner should not leave the country without permission of the court

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri KHALED BIN SAYEED, Advocate for the Petitioner and the Assistant Public Prosecutor on behalf of the Respondent

The Court made the following: ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1916 of 2021

ORDER:

This criminal petition is filed seeking to set aside the order dated 22.02.2021 in CrI.M.P.172 of 2021 in SR.No.392 of 2021 in Cr.No.7 of 2021 on the file of the VIII Additional Chief Metropolitan Magistrate, Hyderabad, wherein and whereby the learned Magistrate dismissed the application filed by petitioner/accused to permit him to go to USA to join his duty at USA for 12 months.

2. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State.

3. By the order impugned, the trial Court dismissed the application on the ground that the petitioner has not mentioned the place of his work at USA and the nature of work and he has also not filed any supporting documents to that effect except saying that he is working at USA.

4. Having regard to the reasons stated in the affidavit filed in support of the application, the petitioner is directed to move an appropriate application before the trial Court along with the relevant documents, such as his place of employment, nature of work, his address including E-mail and other particulars as mentioned in the order impugned, and on such filing, the trial Court shall consider the said application basing on the documentary evidence.

5. With the above direction, the Criminal Petition is disposed of.

6. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

**Sd/- I. NAGA LAKSHMI,
ASSISTANT REGISTRAR**

SECTION OFFICER

//TRUE COPY//

To,

1. The VIII Additional Chief Metropolitan Magistrate, Hyderabad
2. The Station House Officer, Rajendranagar Police Station, Hyderabad
3. The Station House Officer, Mirchowk Police Station, Hyderabad.
4. Two CCS to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
5. One CC to SRI. KHALED BIN SAYEED Advocate [OPUC]
6. Two CD Copies

HIGH COURT

GSDJ

DATED:22/03/2021

ORDER

CRLP.No.1916 of 2021



DISPOSING OF CRIMINAL PETITION

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30/02/2021