

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION Nos.8369 and 8370 OF 2021

COMMON ORDER:

Crl.P.No.8369 of 2021 is filed seeking modification of the order, dated 07.05.2021, passed in Crl.M.P.No.359 of 2021 in Crime No.645 of 2020 of Cyber Crime Police Station, Cyberabad, for exemption of appearance of the petitioner before the S.H.O. concerned on every Wednesday between 11:00 a.m. and 03:00 p.m. till filing of the charge sheet.

1(i). Crl.P.No.8370 of 2021 is filed seeking modification of the order, dated 24.05.2021, passed in Crl.M.P.No.376 of 2021 in Crime No.669 of 2020 of Cyber Crime Police Station, Cyberabad, for exemption of appearance of the petitioner before the S.H.O. concerned on every Tuesday between 02:00 p.m. and 04:00 p.m. till filing of the charge sheet.

2. Heard Mr.Dammalapati Srinivas, learned senior counsel, appearing for the petitioner in both the cases and learned Assistant Public Prosecutor appearing for the respondent-State.

3. Learned senior counsel submits that the applications moved for relaxation of the said conditions, the same were dismissed by the Court below on the ground that the Court has no power to modify its own orders. He submits that in Crime No.1432 of 2021, a condition was imposed by the learned Chief Metropolitan Magistrate, Namapally, that the petitioner shall not leave the jurisdiction of this Court without prior permission and submit the passport before the Court until further orders. In view of the said conditions, the petitioner has to remain in local

jurisdiction and will be available for any assistance for the purpose of investigation. It is submitted that there are other cases pending against the petitioner, where he has to appear on some other day in a week. Therefore, it is difficult for him to appear before the Courts in all the cases. He submits that the petitioner is ready to cooperate with the investigation. Hence, the said condition may be relaxed.

4. On the other hand, learned Assistant Public Prosecutor submits that the petitioner is not complying with the conditions imposed by the Court below and not cooperating with the investigation.

5. Looking at the submissions of both the counsel and the conditions imposed by the Court below, this Court deems it appropriate to modify the condition imposed by the Court below.

6. Accordingly, both the criminal petitions are disposed of directing the petitioner to appear before the concerned Station House Officer in both Crime Nos.645 and 669 of 2020 once in a month i.e., on every first Sunday between 10.00 a.m. and 12.00 Noon, till filing of the charge sheet.

Consequently, miscellaneous applications pending, if any, shall stand closed.

LALITHA KANNEGANTI, J

Date: 08.12.2021

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