

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO: 639 OF 2022

Between:

Mr. Syed Mutaher Hussain, S/o Syed Azher Hussain, Aged about 28 years, Occ.
Cab driver/owner of vehicle, R/o H.No.16-1-28/15 and 16, Jayanagar, Saidabad,
Hyderabad.

...PETITIONER

AND

The State of Telangana, Rept., by its Public Prosecutor High Court Hyderabad

...RESPONDENT

Petition under Section 482 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 modify the order dated 03/08/2021 made in CrI.M.P.No.317 of 2021 in Crime No. 111 of 2021 on the file of the Hon'ble Metropolitan Sessions Judge at Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Mir Mukarram Ali, Advocate for the Petitioner and the Public Prosecutor on behalf of the Sole Respondent.

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.639 OF 2022

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner seeking to modify the order, dated 03.08.2021, passed in Cri.M.P.No.317 of 2021 in Crime No.111 of 2021 (Falaknuma Police Station, Hyderabad), by the learned Metropolitan Sessions Judge, Hyderabad, with regard to executing personal bond for Rs.5,00,000/- for return of vehicle bearing registration No.AP-09-CE-6490 to the petitioner for interim custody.

2. Heard both sides. Perused the record.
3. It is brought to the notice of this Court by the learned counsel for the petitioner that the subject vehicle is of the model 2011 and at present, its value is around Rs.1,00,000/- and odd. In spite of the same, the Court below has directed the petitioner to execute a personal bond for a sum of Rs.5,00,000/- with one surety.
4. Admittedly, the subject vehicle is very old. Almost a decade has been passed from the date of its purchase. The Court below, *vide* order, dated 03.08.2021, was pleased to order return of subject vehicle to the petitioner towards interim custody on condition of his executing personal bond for Rs.5,00,000/- with one surety, apart from imposing other conditions.
5. Considering the totality of the circumstances, in the order of release of subject vehicle, dated 03.08.2021, the condition imposed with regard to furnishing the surety amount, is modified as follows:

"The petitioner shall execute a personal bond for a sum of Rs.1,50,000/- (Rupees one lakh fifty thousand only) with one surety in a likesum to the satisfaction of the Station House Officer, Falaknuma Police Station, Hyderabad. The surety shall furnish FDR for the said amount."

The other conditions imposed in the order, dated 03.08.2021, remain unaltered.

6. Accordingly, the Criminal Petition is ordered.

Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

//TRUE COPY//

SD/-K.SAILESHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Metropolitan Sessions Judge, Hyderabad at Nampally.
 2. The Station House Officer, Falaknuma Police Station, Hyderabad.
 3. One CC to Sri Mir Mukarram Ali, Advocate [OPUC]
 4. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
 5. Two CD Copies
 6. One Spare Copy
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HIGH COURT

DATED: 25/01/2022

ORDER

CRLP.No.639 of 2022



ORDERING/ MODIFIED THE CRIMINAL PETITION

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HMA
08/02/2022