

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7107 OF 2022****ORDER:**

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner who is arrayed as Accused in HQPOR No.46 of 2022 pending on the file of Superintendent of Customs, (Preventive) Customs Commissionerate, Hyderabad.

2. Heard learned counsel for the petitioner/Accused and the learned Special Public Prosecutor for the respondent. Perused the record.

3. The facts of the case are that the petitioner was arrested at Rajeev Gandhi International Airport while trying to smuggle out the concealed gold weighing 2290 grams which valued at Rs.1.2 Crores. The petitioner was arrested and remanded to judicial custody on 08.07.2022.

4. Learned counsel for the petitioner submits that it is 40 days since the arrest and the investigation is almost complete. He further submits that a circular was issued by the Government of India on

16.08.2022 increasing the value of the evasion of duty to Rs.2 Crores from Rs.1 Crore. Further, learned counsel submits that it is prospective in nature.

5. In the said circumstances, keeping in view that the petitioner is in jail since 40 days, he can be granted the relief of bail.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused is granted bail subject to the following conditions:

i) The petitioner/Accused shall execute personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to the satisfaction of Special Judge for Trial of Cases under Economic Offences Act, Hyderabad.

ii) The petitioner/Accused shall appear before the concerned authorities on every Monday between 10.30 AM and 01.00 PM for a period of eight (08) weeks and thereafter shall appear as and when required.

iii) The petitioner/Accused shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

Date: 22.08.2022
ns

K.SURENDER, J