

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.2798 of 2023

ORDER:

Heard Sri M.A.Mujeeb, learned counsel for the petitioner, as well as the learned Additional Public Prosecutor who is representing the respondent-State.

2. Seeking the Court to relax the condition that was imposed by the Court of XV Additional Chief Metropolitan Magistrate, Hyderabad, while considering the request of the petitioner to go to Saudi, through orders in CrI.M.P.No.2152 of 2022 in C.C.No.8014 of 2020, dated 20.02.2023, the present Criminal Petition is filed.

3. Learned counsel for the petitioner submits that the petitioner was directed to furnish personal bond for Rs.2,00,000/- (Rupees Two lakhs only) with one surety for the like sum. But, the petitioner is unable to secure such a solvency being an unemployee and therefore, the bond required to be furnished may be reduced.

4. Learned Additional Public Prosecutor did not raise any serious objection.

5. A perusal of the impugned order goes to show the presence of a condition that in case, the petitioner fails to appear before the trial Court on or before 17.8.2022, the surety amount of Rs.2,00,000/- (Rupees Two lakhs) will be given to the defacto complainant as compensation.

6. Having considered the submission made by the learned counsel for the petitioner indicating the grievance of the petitioner and his inability, this Court considers it desirable to honour the request of the petitioner.

7. Hence, this Criminal Petition is allowed. The order that is rendered by the Court of XV Additional Chief Metropolitan Magistrate, Hyderabad, in Crl.M.P.No.2152 of 2022 in C.C.No.8014 of 2020, dated 20.02.2023, is modified as under:-

“The petitioner shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees One lakh only) with one surety for the like sum. However, if the

petitioner fails to appear before the trial Court on or before 17.8.2023, he would be liable to pay compensation of Rs.2,00,000/- (Rupees Two lakhs only) to the defacto complainant.

Dr. JUSTICE CHILLAKUR SUMALATHA

24.3.2023
dr