

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.2674 of 2023

ORDER:

Heard Ms. Suchitra Mallela, learned counsel, who argued on behalf of Sri Nageshwar Rao Pujari, learned counsel on record for the petitioner, as well as learned Additional Public Prosecutor who is representing the respondent-State.

2. This Criminal Petition is filed seeking to modify the order that is rendered by the Court of Principal Sessions Judge, Jangaon, in CrI.M.P.No.46 of 2023 in S.C.No.14 of 2022, dated 10.02.2023.

3. Learned counsel for the petitioner states that the petitioner was enlarged on bail through the impugned order subject to his executing a bond for Rs.50,000/- (Rupees Fifty thousand only) with two sureties, one among them to be a permanent Government employee having fixed abode. Learned counsel states that the petitioner could not secure such a permanent Government employee having fixed abode and therefore, though bail was granted, the petitioner is still

in judicial custody and thus, the said condition may be relaxed.

4. Learned Additional Public Prosecutor did not raise any objection for relaxation of the condition.

5. Also, the condition imposed by the Court below appears to be somewhat harsh. Therefore, this Court considers it desirable to honour the request.

6. Resultantly, this Criminal Petition is allowed. The condition for grant of bail is modified as under:-

(i) The petitioner shall be enlarged on bail on his each executing a personal bond for Rs.50,000/- (Rupees Fifty thousand only) with two sureties for the like sum each to the satisfaction of the Court of Principal Sessions Judge, Jangaon.

(ii) The Court of Principal Sessions Judge, Jangaon, is directed not to insist for production of a permanent Government employee having fixed abode as one of the surety.

Dr. JUSTICE CHILLAKUR SUMALATHA

23.3.2023
DR