

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY THE TWENTY NINTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

IA No. 1 OF 2023

IN

CRIMINAL PETITION NO: 9752 OF 2023

Between:

Smt. Siliveri Manjula, W/o. Siliveri Srinivas, Occ: Housewife, R/o. H. No.26-95/17, BN-123 2nd Floor, Balaramnagar, Malkajgiri, K.V. Rangar Reddy District.
(Owner of the Vehicle No.TS 08 JL 0607)

...PETITIONER

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court for State of Telangana at Hyderabad.
2. The Deputy Commissioner of Prohibition and Excise, Ranga Reddy Division.

...RESPONDENTS/RESPONDENTS

3. The Station House Officer, Prohibition and Excise, Uppal.

...RESPONDENT/DEFACTO COMPLAINANT

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 relax the condition of surety amount of FDR from 5,00,000/- to Rs.1,00,000/- in the form of immoveable property/personal bond in CrI.P.N. 9752 of 2023 passed by this Honourable Court vide its order dated 24/11/2023.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri T. PRASANNA KUMAR, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No. 3 and None appeared for the Respondent No. 1 & 2.

The Court made the following:

In this petition, the petitioner is seeking relaxation of the condition imposed by this Court in order dated 24.11.2023 for interim custody of the vehicle.

This Court had directed the petitioner to furnish FDR to a sum of Rs.5,00,000/- for interim custody of the vehicle.

Learned counsel for the petitioner submits that the petitioner is a house-wife and has given the vehicle on rent only to earn an income and the petitioner does not have the financial position to furnish the FDR of a sum of Rs.5,00,000/-. He further submits that in similar cases, this Court had directed deposit of the security deposit of Rs.1,00,000/- and the petitioner prayed for similar relief.

Learned Assistant Public Prosecutor opposed the same and submitted that this Court had already reduced the FDR amount from Rs.8,00,000/- to Rs.5,00,000/- and further relaxation may not be granted.

Having regard to the contentions that the petitioner is a house-wife and is not in a position to furnish the said FDR amount and also having regard to the fact that this is a first offence in which the vehicle was involved, this Court deems it fit and proper to direct the petitioner to furnish the FDR amount to Rs.1,00,000/-, with an undertaking that the vehicle will not be involved in such offences in future. The other conditions shall remain unaltered.

SD/- V.KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Deputy Commissioner of prohibition and Excise, Ranga Reddy District.
2. The Station House Officer, Prohibition and Excise, Uppal.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
4. Two CD Copies

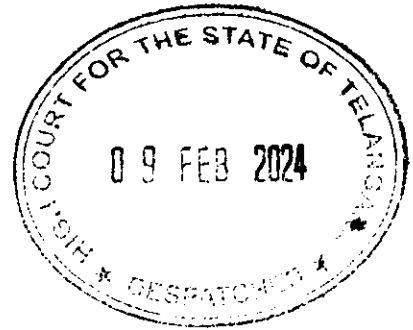
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HIGH COURT

DATED:29/01/2024

ORDER

IA. No. 1 of 2023
IN
CRLP.No.9752 of 2023



DIRECTION

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MA
9/2/24