

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION Nos.12435 and 12436 OF 2023

COMMON ORDER:

These Criminal Petitions are filed under Section 439 (1) B r/w Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners-accused Nos.18 and 19 seeking to relax the condition imposed by the Metropolitan Sessions Judge, Hyderabad vide order dated 31.07.2023 in Crl.M.P.No.2711 of 2023 in S.C.No.328 of 2021.

2. Since the petitioners are tried by the learned Metropolitan Sessions Judge, Hyderabad as accused Nos.18 and 19 in S.C.No.328 of 2021 and both of them are aggrieved by the condition imposed by the trial Court while allowing the petition filed by them under Section 439 of Cr.P.C, both the petitions are disposed off by way of common order.

3. Heard learned counsel for the petitioners - accused Nos.18 and 19 and learned Standing Counsel for respondent - Enforcement Directorate. Perused the record.

4. The petitioners are seeking relaxation of the conditions imposed by the Court below. The said condition was to seek permission to travel beyond India.

5. Learned counsel for the petitioners would submit that during the course of business of the petitioners, they have to travel abroad every month and the dates of travelling would also be on a very short notice. Since the charge sheet is already filed, this Court deems it appropriate to relax the condition seeking permission to travel outside India. The petitioners shall intimate the Court below and also the Enforcement Directorate Authorities, the dates on which they intend to travel and all the particulars including the their phone numbers and address to the place where they travel. On every date of hearing, the petitioners shall be present. Further, on every date of hearing before the Court below, the counsel for the petitioners shall be present. If the petitioners are absent, the proceedings before the trial Court shall not be postponed due to their absence. To that effect, the petitioners shall file an affidavit stating that their counsel would conduct proceedings and they will not dispute the proceedings conducted in their absence. For any reasons, if the petitioners violate any of the conditions or cause any

hindrance to the progress of the trial, this order stands cancelled and the trial Court is at liberty to take coercive steps.

6. Accordingly, both the Criminal Petitions are allowed.

Miscellaneous applications pending, if any, shall stand closed.

K.SURENDER, J

Date: 20.12.2023

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