

THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.3925 OF 2024

ORDER:

This Criminal Petition is filed by the petitioner – Accused No.2 under Section 440 (2) of Cr.P.C to reduce the surety amount as directed by the learned IV Additional Metropolitan Sessions Judge at Hyderabad on 05.03.2024 *vide* CrI.M.P.No.810 of 2024 in Crime No.317 of 2022 of Police Station Hussainialam, Hyderabad.

2. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor for the respondent-State.

3. The learned counsel for the petitioner submitted that the petitioner was arrested on 22.11.2023 for the offence under Section 307 read with 34 of Indian Penal Code (for short 'IPC'). He was granted bail by the learned IV Additional Metropolitan Sessions Judge at Hyderabad on 05.03.2024 on condition of his executing personal bond of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties for a like sum each to the satisfaction of the learned Chief Metropolitan Magistrate Court, Hyderabad. The petitioner was unable to produce the sureties for the said extent. As such, he filed a petition *vide* CrI.M.P.No.956 of 2024 in CrI.M.P.No.810 of 2024 for reducing the surety amount but the learned IV Additional

Metropolitan Sessions Judge at Hyderabad dismissed the said petition on the ground that “*no efforts were made*” and the petition was filed immediately.

4. The learned counsel for the petitioner further submitted that the petitioner was an auto driver, his financial status was very poor. He was unable to arrange the said surety amount and prayed to reduce the surety amount as directed by the learned IV Additional Metropolitan Sessions Judge at Hyderabad on 05.03.2024 *vide* Crl.M.P.No.810 of 2024 in Crime No.317 of 2022 of Police Station Hussainialam, Hyderabad.

5. Learned Assistant Public Prosecutor reported no objection for the same.

6. Perused the record. Considering that the petitioner was in custody since 22.11.2023 and was unable to come out of jail even after granting bail due to his inability in furnishing surety amount as directed by the learned IV Additional Metropolitan Sessions Judge at Hyderabad, it is considered fit to reduce the surety amount from Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties to Rs.5,000/-(Rupees Five Thousand Only) with one surety as prayed for.

7. Accordingly, the Criminal Petition is allowed

Miscellaneous applications, pending if any, shall stand closed.

Date:16.04.2024
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Dr. G.RADHA RANI, J

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Dated:16.04.2024

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