

IN THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE – II
(ADDITIONAL MUNSIFF), KASARAGOD

Present: Sri.Abdulbasith.T.V, Judicial First Class Magistrate-II
(Additional Munsiff)

Dated this the 1st day of August, 2023/ 9th Sravana, 1945.

MC No. 73/2023

Petitioner : Proceedings initiated suo moto
Vs
Counter Petitioners : 1. Maimoona, D/o Muhammed, Veena Nagar,
Adka Kota House, Shiriya.
2. Rahmath Beevi, W/o Shareef, Dottamook
House, Kayyar.

O R D E R

This is a proceeding taken U/s.446 of Cr.PC against the counter petitioners since they failed to produce the accused in CP No. 50/2022, Abdul Latheef @ Abdulla Latheef, S/o Mohammed, aged 19/22, Baithila House, Mangalpady, Uppala Village who was released on their bond.

2. Counter petitioners were the sureties for accused in CP No.50/2022. The above case has been filed by SHO, Manjeshwar PS, against the accused alleging commission of offence punishable U/s. 506(ii), 212, 465 IPC, 3(1) r/w 25(1-B) (a) 5(1), 27(2) of Arms Act. On 21.10.2021 the counter petitioners executed a bond before this court whereby they agreed to produce the accused before this court on all occasions failing which to forfeit to the government, an amount of ₹25,000/- each.

3. The accused is now absconding. Since this court is satisfied that the conditions in the bail bond were violated, the bail bond was forfeited and cancelled and a notice was issued to the counter petitioners. Though they received the notice, they did not turn up not have they produced the accused.

4. It is clear from the records that the counter petitioners have violated the conditions of bail bond. Therefore, they are liable to pay penalty to the state. Considering the facts and circumstances of the case, I am of the opinion

that imposing penalty of ₹10,000/- each will serve the ends of justice and remission for the remaining amount can be granted.

5. Therefore, the counter petitioners are ordered to pay penalty of ₹10,000/- each. If the penalty cannot be recovered, counter petitioners who are the sureties shall be liable to undergo imprisonment in the Civil prison for 30 days each.

Pronounced by me in the open Court this the 1st day of August, 2023.

JUDICIAL FIRST CLASS MAGISTRATE-II,
(ADDITIONAL MUNSIFF) KASARAGOD.