

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 30th day of December, 2024

MC No.187/2024

Petitioner : Proceedings initiated suo moto.
Vs
Counter Petitioners : 1 Ashar P.M, aged 54 years,
S/o. Moideen,
Chalakunnu, vidyanagar
2. Mohammed Iqbal, aged 43 years,
S/o. Baduvankunhi,
Nekraje Village

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 C C No. 883/2022, M. Hameed, S/o. Moosa(L), Meethale Kuriyil, Palikkure, Kannur, Thalappady, Now r/at. Thouseer Manzil, K.K Road, who was released on bond.

2. Counter petitioners were the sureties for the accused in C C 883/2022. The above case has been filed by SHO, Badiadka PS, against the accused, alleging the commission of offence punishable U/s—457, 380, 461 of IPC. On 12.10.2018, 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 ₹50,000/-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, nor have they produced the accused.

4. It is clear from the records that the counter-petitioners have violated

the conditions of the bail bond. Therefore, they are liable to pay a penalty to the state. Considering the facts and circumstances of the case, I believe imposing a penalty of ₹5,000/- 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 a penalty of ₹5,000/- 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 30th day of December, 2024.

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