

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.5236 OF 2022****ORDER:**

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner/Accused in Crime No.641 of 2022 on the file of L.B.Nagar Police Station, Rachakonda, registered for the offences punishable under Sections 417, 493, 354-D, 323 & 506 of Indian Penal code.

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

3. The petitioner is the sole accused in S.C.No.338 of 2021 on the file of Special Sessions Judge for Fast Tracking the Cases relation to Atrocities against Women, II-XI Additional Metropolitan Sessions Judge at Hyderabad, tried for the offence under Sections 376, 342 of Indian Penal Code. The petitioner was initially on bail, however, for his non-appearance on 08.06.2022, warrants were issued and he was sent to judicial custody on 09.06.2022.

4. Learned Assistant Public Prosecutor opposes the bail application on the ground that he was threatening PW1-*defacto* complainant regarding her deposition in the Court.

5. However, as seen from the depositions, the chief-examination and cross-examination are complete and further the counsel for the petitioner who is also appearing for the petitioner before the Court below, submitted that he will not recall her for cross-examination.

6. In view of the undertaking given by the learned counsel for the petitioner that he will not recall PW1 for cross-examination, the bail can be granted to this petitioner.

5. Accordingly, the Criminal is allowed and the petitioner/Accused is granted bail subject to the following conditions:

i) The petitioner/Accused shall execute personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of XI Additional Metropolitan Sessions Judge, Nampally, Hyderabad.

ii) The petitioner/Accused shall appear before the concerned Court on every date of hearing without fail.

first and third Mondays between 10.30 AM and 01.00 PM for a period of three (03) months, for the purpose of investigation.

iii) In the event of the petitioner threatening any of the witnesses in the case, prosecution is at liberty to file application for cancellation of bail granted to this petitioner.

iv) The petitioner/Accused shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

Date: 26.07.2022
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.26.07.2022

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