

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7997 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioner in the event of his arrest in Crime No.307 of 2021 on the file of Station House Officer, Sankarpally Police Station, Cyberabad registered for the offences punishable under Sections 120B, 307 read with Section 511 of Indian Penal Code.

2. Heard learned counsel for petitioner and learned Assistant Public Prosecutor for respondent-State. Perused the record.
3. The case against the petitioner is that he had communicated with Accused No.1 on phone which was recorded and the said communication reveals that they were planning to eliminate the *de facto* complainant's husband. The said planning was done due to the disputes regarding the property and other issues between the Accused No.1 and the husband of the *de facto* complainant.
4. On instructions learned Assistant Public Prosecutor would submit that the only evidence available against this petitioner is the

phone conversation. He further submits that there are no other criminal cases pending against this petitioner.

5. In the said circumstances, when there are no injuries which are inflicted on the *de facto* complainant's husband, the petitioner who is not named in the FIR can be granted the relief of anticipatory bail.

6. Accordingly, the Criminal Petition is allowed and the petitioner namely Mohammad Nayeempasha shall be enlarged on bail in the event of his arrest subject to the following conditions:

i) The petitioner/Accused is directed to surrender before the Station House Officer, Sankarpally Police Station, Cyberabad within one week from today, and on such surrender, he shall be enlarged on bail on his executing personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioner/Accused shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of eight (08) weeks or till filing of charge sheet whoever is earlier.

iii) The petitioner/Accused shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 14.09.2022
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