

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.9976 of 2022

ORDER:

Seeking the Court to enlarge the petitioner, who is arrayed as accused No.1 in Crime No.280 of 2022 of Langer House Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

2. Learned counsel for the petitioner states that the petitioner is in judicial custody since 19.09.2020 and the entire investigation is completed and therefore, the petitioner may be enlarged on bail. Learned counsel also submits that as per the version of the prosecution, 6 grams of MDMA was seized from the possession of the petitioner and the commercial quantity is 10 grams and more than 10 grams, and as the petitioner was found in possession of less than commercial quantity of drug, even as per the version of the prosecution, the petitioner may be enlarged on bail.

3. The submission of the learned Additional Public Prosecutor is that four witnesses were examined till now. But, the other accused are still absconding. Thus, as per the submission of the learned Additional Public Prosecutor,

material part of investigation is completed and the final report could not be filed only because the other accused could not be traced.

4. Thus, considering the submission made by the learned counsel for the petitioner, this Court is of the view that the request of the petitioner for grant of bail can be honoured, however conditionally.

5. Resultantly, this Criminal Petition is allowed with the following conditions:-

(i) The petitioner/accused No.1 shall be enlarged on bail on his executing a personal bond for Rs.30,000/- (Rupees Thirty thousand only) with two sureties for the like sum each to the satisfaction of the Court concerned. The sureties are directed to submit their two latest passport size photographs at the time of furnishing solvency. One such photograph is ordered to be pasted in the Surety Register against the name of the surety. The other photograph shall be kept in the case record concerned.

(ii) In case, the petitioner/accused No.1 holds a passport, he is directed to surrender the same, if it is not seized by now.

(iii) The petitioner/accused No.1 should not involve in any unlawful activity.

(iv) The petitioner/accused No.1 should afford all assistance for proper investigation of the case.

(v) The petitioner/accused No.1 should not cause the evidence of the offence disappear.

(vi) The petitioner/accused No.1 should not tamper with the evidence in any manner.

(vii) The petitioner/accused No.1 should not by way of inducement, threat or promise, dissuade any person who is acquainted with the facts of the case, from disclosing such facts to the Court or to the Police Officer.

(viii) The petitioner/accused No.1 should ensure his presence whenever required by the Court or Police.

(ix) The petitioner/accused No.1 shall not leave India without previous permission of the court concerned.

(x) The petitioner/accused No.1 shall report before the Station House Officer, Langer House Police Station, Hyderabad, on every Monday

between 10.30 a.m. and 12.00 p.m. till filing of the final report.

(xi) The petitioner/accused No.1 shall file an affidavit before the court concerned disclosing the following particulars:-

- (1) Contact number
- (2) Mail address
- (3) Residential particulars.

In case, there is any change in the aforementioned details, the petitioner shall intimate the court concerned by giving a fresh affidavit duly mentioning the change. He shall continue to do so till filing of the final report.

Any deviation of the above conditions would entitle the respondent to take appropriate steps for cancellation of the bail granted.

6. As a sequel, miscellaneous petitions pending, if any, shall stand closed

Dr. JUSTICE CHILLAKUR SUMALATHA

22.11.2022
DR