

HON'BLE Dr.JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.9974 of 2022

ORDER:

1. Heard Sri Mohammed Amir, learned counsel arguing on behalf of Sri Mohammed Zubair Akram, learned counsel on record for the petitioners as well as the learned Additional Public Prosecutor who is representing the respondent.
2. Seeking for pre-arrest bail, the petitioners, who are arrayed as Accused Nos.4, 6 & 7 in Crime No.1166 of 2022 of Medipally Police Station, Rachakonda Commissioner, are before this Court.
3. Learned counsel for the petitioners contends that the petitioners, indeed, are the victims and they never involved in any acts of impersonation, cheating or forgery and the petitioners ought not to have been implicated as accused and therefore, they are before this Court seeking anticipatory bail.
4. Learned Additional Public Prosecutor contends that the prime accused are Accused Nos.1 to 3.

5. The case of the prosecution in nutshell as per the material available on record is that Accused Nos.1 to 3, with the help of Accused No.8, got the property in question registered in the name of the 3rd petitioner/Accused No.7. The petitioner Nos.1 & 2/Accused Nos.4 & 6 signed as witnesses to the said document.

6. Thus, having regard to the nature of the alleged involvement of the petitioners and upon hearing both sides, this Court is of the view that the request of the petitioners can be honoured, however, conditionally.

7. Resultantly, the Criminal Petition is allowed with the following conditions:

(i) The petitioners/ Accused Nos.4, 6 & 7 shall surrender before the concerned Court within ten (10) days. On such surrender, they shall be enlarged on bail on their executing a personal bond for Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties for 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) The petitioners/Accused Nos.4, 6 & 7 should not involve in any unlawful activity.

(iii) The petitioners/Accused Nos.4, 6 & 7 should afford all assistance for the proper investigation of the case.

(iv) The petitioners/Accused Nos.4, 6 & 7 should not cause the evidence of the offence disappear.

(v) The petitioners/Accused Nos.4, 6 & 7 should not tamper with the evidence in any manner.

(vi) The petitioners/Accused Nos.4, 6 & 7 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.

(vii) In case the petitioners/Accused Nos.4, 6 & 7 hold passport, they shall surrender the same if they are not seized till now.

(viii) The petitioners/Accused Nos.4, 6 & 7 should ensure their presence whenever required by the Court or Police.

(ix) The petitioners/Accused Nos.4, 6 & 7 shall not leave India without previous permission of the Court concerned.

(x) The petitioners/Accused Nos.4, 6 & 7 shall file 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 petitioners shall intimate the court concerned by giving fresh affidavit duly mentioning the change. They 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 pre-arrest bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date: 22.11.2022
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