

HON'BLE Dr.JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10002 of 2022

ORDER:

1. Heard the submission of Sri R.Chandrashekar Reddy, learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor who is representing the respondent.

2. Seeking for pre-arrest bail, the petitioner, who is arrayed as Accused No.3 in Crime No.104 of 2022 of Thogta Police Station, Siddipet District, is before this Court.

3. Learned counsel for the petitioner submits that Accused Nos.1 & 2 were already arrested and anticipatory bail was granted in favour of Accused No.1 and the only accused left is the petitioner herein and therefore, the petitioner is before this Court. Learned counsel also states that though the petitioner stands in the same footing of Accused No.4, his request was dishonoured by the Sessions Court. Learned counsel also contends that basing on a trivial issue, a case is foisted against the petitioner and others.

4. On the other hand, the submission of the learned Additional Public Prosecutor is that section of law was altered from Section 324 IPC to Section 326 IPC. Learned Additional Public Prosecutor further submits that two persons sustained injuries out of which one sustained four simple injuries and another sustained two simple injuries and one grievous injury. However, learned Additional Public Prosecutor submits that the material part of investigation is completed as eleven witnesses were already examined.

5. Having considered the submissions thus made, this Court is of the view that the request of the petitioner can be honoured. Nothing is brought on record as to why there is requirement of arrest of the petitioner and for remanding him to judicial custody. Therefore, this Court considers desirable to honour the request of the petitioner, however, conditionally.

5. In the result, the Criminal Petition is allowed with the following conditions:

- (i) The petitioner/Accused No.3 is directed to surrender before the concerned Court within ten (10) days. On such surrender, he shall be

enlarged on bail on his executing a personal bond for Rs.30,000/- (Rupees Thirty Thousand only) 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 petitioner/Accused No.3 shall report before the Station House Officer, Thogta Police Station on every Monday between 10.30 a.m. and 12:00 p.m. till filing of charge sheet.
- (iii) The petitioner/Accused No.3 should not involve in any unlawful activity.
- (iv) The petitioner/Accused No.3 should afford all assistance for the proper investigation of the case.
- (v) The petitioner/Accused No.3 should not cause the evidence of the offence disappear.
- (vi) The petitioner/Accused No.3 should not tamper with the evidence in any manner.
- (vii) The petitioner/Accused No.3 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) In case the petitioner/Accused No.3 holds a passport, he shall surrender the same if the same is not seized till now.
- (ix) The petitioner/Accused No.3 should ensure his presence whenever required by the Court or Police.
- (x) The petitioner/Accused No.3 shall not leave India without previous permission of the court concerned.
- (xi) The petitioner/Accused No.3 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 of 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 pre-arrest bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date: 22.11.2022

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HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10002 of 2022

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CIVIL REVISION PETITION No.3578 of 2018

27.12.2021

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