

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10006 of 2022

ORDER:

Heard Sri P.Devender, learned counsel for the petitioner, as well as learned Additional Public Prosecutor who is representing the respondent.

2. Seeking the Court to enlarge the petitioner, who is arrayed as accused No.1 in Crime No.475 of 2022 of Subedari Police Station, Warangal District, on bail, the present Criminal Petition is filed.

3. Making his submission, learned counsel for the petitioner states that the petitioner is in judicial custody for more than 82 days. Learned counsel states that the petitioner and other accused moved different applications for grant of bail and bail was granted to other accused except to the petitioner, and as the investigation is completed, the petitioner may be enlarged on bail.

4. The case of the prosecution in nut-shell, as could be perceived through the material available on record, is that the petitioner and other accused, who had previous grudges, on knowing that the deceased-Naresh was present at the

house of one Sandeep, went there, and attacked and beat the deceased-Naresh indiscriminately. The petitioner beat the deceased with brick boulders due to which the deceased-Naresh sustained fatal injuries and subsequently, succumbed to the injuries while undergoing treatment.

5. By the submission of the learned counsel for the petitioner, it is clear that all other accused were enlarged on bail.

6. By the submission of the learned Additional Public Prosecutor, it is abundantly clear that material part of investigation is completed.

7. The submission of the learned counsel for the petitioner is that the petitioner is in judicial custody for more than 80 days.

8. Having considered all these factors, this Court is of the view that the request of the petitioner for grant of bail can be honoured, however conditionally.

9. 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.50,000/- (Rupees Fifty 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, Subedari Police Station, Warangal District, 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.

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

Dr. JUSTICE CHILLAKUR SUMALATHA

28.11.2022
DR