

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10087 of 2022

ORDER:

1. Heard Sri Rapolu Bhaskar, learned counsel for the petitioners as well as learned Additional Public Prosecutor who is representing respondent No.1.

2. The petitioners who are arrayed as accused Nos.2 to 9 in crime No.254 of 2022 of Yellandu Police Station, are before this Court seeking anticipatory bail.

3. The case of the prosecution, as could be perceived through the contents of the complaint, are that accused No.1 followed the de-facto complainant and assured to marry her. They both got involved in sexual intercourse. Subsequently, he failed to keep up his promise and in that regard panchayats were held. Later, on intervention of police officials, their marriage was performed. However, subsequently, the petitioners, who are the family members of accused No.1, threatened the de-facto complainant, abused her and demanded additional dowry. Further, accused No.1 and his family members locked their house and fled away. Learned counsel for the petitioners states

that accused No.1 was arrested and remanded to judicial custody and now, he is in jail. Learned counsel also states that even as per the contents of the private complaint, there are no allegations that are directed against the petitioners, more particularly for the offences punishable under Sections 376 and 307 IPC and as the petitioners are the family members of accused No.1, a private complaint is filed even against them and therefore, they are before this Court seeking for anticipatory bail.

4. Learned Additional Public Prosecutor did not dispute the fact that accused No.1 was arrested and was remanded to judicial custody. Learned Additional Public Prosecutor also did not state that the arrest of the petitioners is required for investigation to go on in a proper way.

5. Having considered the nature of the case and taking into consideration the submissions made, this Court is of the view that the request of the petitioners can be honoured however conditionally.

6. Resultantly, the Criminal Petition is allowed with the following directions:

- (i) The petitioners/Accused No.2 to 9 are directed to surrender before the concerned Court within ten (10) days. On such surrender, they shall be enlarged on each of them executing a personal bond for Rs.25,000/- (Rupees Twenty Five 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 petitioners/Accused No.2 to 9 shall report before the Station House Officer, Yellandu Police Station, on every Monday between 10.30 AM and 12:00 PM till filing of final report.
- (iii) The petitioners/Accused No.2 to 9 should not involve in any unlawful activity.
- (iv) The petitioners/Accused No.2 to 9 should afford all assistance for the proper investigation of the case.

- (v) The petitioners/Accused No.2 to 9 should not cause the evidence of the offence disappear.
- (vi) The petitioners/Accused No.2 to 9 should not tamper with the evidence in any manner.
- (vii) The petitioners/Accused No.2 to 9 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 petitioners/Accused No.2 to 9 holds a passport, they shall surrender the same if the same were not seized till now.
- (ix) The petitioners/Accused No.2 to 9 should ensure their presence whenever required by the Court or Police.
- (x) The petitioners/Accused No.2 to 9 shall not leave India without previous permission of the court concerned.
- (xi) The petitioners/Accused No.2 to 9 shall file separate affidavits 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 affidavits duly mentioning the change. They shall 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.

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

Dr. JUSTICE CHILLAKUR SUMALATHA

Date: 22.11.2022

Sai/vns

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