

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10119 of 2022

ORDER:

Heard Sri K.Venu Madhav, learned counsel for the petitioners, as well as learned Additional Public Prosecutor who is representing the respondent.

2. Seeking pre-arrest bail, the petitioners are before this Court. The petitioners are arrayed as accused Nos.1 to 3 in Crime No.441 of 2022 of Korutla Police Station, Jagtial District.

3. Learned counsel for the petitioners submits that the petitioners neither committed any acts of cheating nor threatened the defacto complainant, but only to bring the petitioners to her terms, the defacto complainant gave a complaint to Police, that too basing on a civil dispute and therefore, the petitioners are entitled for anticipatory bail.

4. On the other hand, the submission of learned Additional Public Prosecutor is that petitioner No.1 is involved in four other criminal cases and petitioner No.2 is involved in three other criminal cases. The particulars are forwarded. A perusal of the said particulars reveals that

petitioner No.2 is involved in three other criminal cases, where the offences are bailable in nature. However, as far as petitioner No.1 is concerned, it is also mentioned that a suspect sheet has been opened against him.

5. Coming to the case facts, as submitted by the learned counsel for the petitioners, the dispute is regarding sale and registration of a plot which is an extent of 150 square yards in Survey No.402/1 of Kollur Road, Anand Nagar.

6. Taking into consideration the aforementioned facts, upon hearing both the parties and on perusal of the material that is produced, this Court is of the view that the request of petitioner Nos.2 and 3 can only be considered.

7. Resultantly, this Criminal Petition is allowed so far as petitioner Nos.2 and 3 are concerned, with the following conditions:-

- (i) Petitioner Nos.2 and 3/accused Nos.2 and 3 are directed to surrender before the Court concerned within ten (10) days. On such surrender, they shall be enlarged on bail on each of them executing a personal bond for Rs.25,000/- (Rupees Twenty five 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, Petitioner Nos.2 and 3/accused Nos.2 and 3 hold passports, they are directed to surrender the same, if they were not seized by now.

(iii) Petitioner Nos.2 and 3/accused Nos.2 and 3 should not involve in any unlawful activity.

(iv) Petitioner Nos.2 and 3/accused Nos.2 and 3 should afford all assistance for proper investigation of the case.

(v) Petitioner Nos.2 and 3/accused Nos.2 and 3 should not cause the evidence of the offence disappear.

(vi) Petitioner Nos.2 and 3/accused Nos.2 and 3 should not tamper with the evidence in any manner.

(vii) Petitioner Nos.2 and 3/accused Nos.2 and 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) Petitioner Nos.2 and 3/accused Nos.2 and 3 should ensure their presence whenever required by the Court or Police.

(ix) Petitioner Nos.2 and 3/accused Nos.2 and 3 shall not leave India without previous permission of the court concerned.

(x) Petitioner Nos.2 and 3/accused Nos.2 and 3 shall report before the Station House Officer, Korutla Police Station, Jagtial District Hyderabad, on every Monday between 10.30 a.m. and 12.00 p.m. till filing of the final report.

(xi) Petitioner Nos.2 and 3/accused Nos.2 and 3 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 separate affidavits 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 bail granted.

8. The Criminal Petition as far as petitioner No.1 is concerned stands dismissed.
9. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

Dr. JUSTICE CHILLAKUR SUMALATHA

23.11.2022
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