

HON'BLE Dr.JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10221 of 2022

ORDER:

1. Heard the submission of Sri Gulab Singh, 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.4 in Crime No.331 of 2022 of Asifnagar Police Station, Hyderabad District, is before this Court.

3. Learned counsel for the petitioner states that the petitioner has not committed any offence whatsoever. Learned counsel states that only basing on the alleged confessional statement of Accused No.1, who is the son of the petitioner herein, the petitioner is arrayed as accused and apart from the petitioner, his wife, i.e. the mother of Accused No.1, is also implicated in the case and as the petitioner has not committed any offence, he may be granted the relief sought for. Learned counsel also submits that anticipatory bail was granted in favour of Accused

No.5 through orders in Crl.P.No.9686 of 2022, dated 10.11.2022.

4. Learned Additional Public Prosecutor, on the other hand, submits that this is a Narcotic Drugs and Psychotropic Substances (NDPS) case. Nothing is brought to the notice of this Court to hold that the petitioner stands on a different footing of that of Accused No.5. Also, it is not brought to the notice of this Court that the order rendered in favour of Accused No.5 is assailed.

5. Therefore, this Court considers desirable to honour the request of the petitioner, however, conditionally.

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

- (i) The petitioner/Accused No.4 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.50,000/- (Rupees Fifty 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.4 shall report before the Station House Officer, Asifnagar Police Station, Hyderabad District, on every Monday between 10.30 a.m. and 12:00 p.m. till filing of charge sheet.
- (iii) The petitioner/Accused No.4 should not involve in any unlawful activity.
- (iv) The petitioner/Accused No.4 should afford all assistance for the proper investigation of the case.
- (v) The petitioner/Accused No.4 should not cause the evidence of the offence disappear.
- (vi) The petitioner/Accused No.4 should not tamper with the evidence in any manner.
- (vii) The petitioner/Accused No.4 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.4 holds a passport, he shall surrender the same.
- (ix) The petitioner/Accused No.4 should ensure his presence whenever required by the Court or Police.
- (x) The petitioner/Accused No.4 shall not leave India without previous permission of the Court concerned.
- (xi) The petitioner/Accused No.4 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: 24.11.2022
ysk

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10221 of 2022

Date: 24.11.2022

ysk

CIVIL REVISION PETITION No.3578 of 2018

27.12.2021

DA