

HON'BLE Dr.JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10234 of 2022

ORDER:

1. Heard Sri Jithender Rao Veeramalla, learned counsel for the petitioner as well as the learned Additional Public Prosecutor who is representing the respondent.

2. The present Criminal Petition is filed under Section 438 Cr.P.C. seeking for pre-arrest bail. The petitioner is arrayed as Accused in Crime No.964 of 2022 of Neredmet Police Station, Rachakonda Commissionerate.

3. Learned counsel for the petitioner states that it is the petitioner who is the victim. Learned counsel also states that two criminal cases are pending against the defacto complainant and it is the defacto complainant who is continuously harassing the petitioner. Learned counsel also states that the dispute is purely matrimonial in nature. Learned counsel submits that in case the petitioner is arrested, she would be put to serious hardship as she is not at fault.

4. On the other hand, the submission of the learned Additional Public Prosecutor is that three witnesses were examined till now and the case is under investigation.

5. Having gone through the material that is available on record and upon hearing both sides, this Court is of the view that the request of the petitioner can be considered, however, conditionally.

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

(i) The petitioner/Accused is directed to surrender before the concerned Court within ten (10) days. On such surrender, she shall be enlarged on bail on her 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 petitioner/Accused is directed to appear before the concerned Court on every Monday

between 10.30 AM and 12.00 PM till filing of final report.

- (iii) The petitioner/Accused should not involve in any unlawful activity.
- (iv) The petitioner/Accused should afford all assistance for the proper investigation of the case.
- (v) The petitioner/Accused should not cause the evidence of the offence disappear.
- (vi) The petitioner/Accused should not tamper with the evidence in any manner.
- (vii) The petitioner/Accused 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 holds a passport, she shall surrender the same.
- (ix) The petitioner/Accused should ensure her presence whenever required by the Court or Police.
- (x) The petitioner/Accused shall not leave India without previous permission of the Court concerned.

(xi) The petitioner/Accused 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. She 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
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HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10234 of 2022

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ysk

CIVIL REVISION PETITION No.3578 of 2018

27.12.2021

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