

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10300 OF 2022

ORDER:

Heard Sri R.Chandrashekar Reddy, learned counsel for the petitioners, as well as learned Additional Public Prosecutor, who is representing the respondent-State.

2. Seeking for pre-arrest bail, the petitioners, who are arrayed as accused Nos.5 and 6, in Crime No.419 of 2022 of Mancherial Town Police Station, Ramagundam District, are before this Court.

3. Learned counsel for the petitioners submits that the petitioners have not committed any offences and indeed their names are not mentioned in the First Information Report. Learned counsel for the petitioners also states that the other accused i.e. accused Nos.1, 2, 7 and 8 were enlarged on bail by the Court of Principal Sessions Judge, Mancherial and the entire investigation is also completed and therefore, the request of the petitioners may be honoured.

4. Learned Additional Public Prosecutor states that nine material witnesses were examined till now.

5. As per the version of the prosecution, accused No.1, who is Sub-Inspector of Police and the other accused gathered by the side of a public road by parking their Car there, consumed alcohol, started dancing and created nuisance in the locality and on the complaint given by the owner of the neighbouring house, Police personnel went to the said place, however, those Police personnel were abused and were attacked and their Government tab and cell phone were damaged.

6. Learned Additional Public Prosecutor did not dispute the fact that accused Nos.1, 2, 7 and 8 were already enlarged on bail. The submission of learned Additional Public Prosecutor also makes it clear that the material part of investigation is completed. Therefore, this Court considers it desirable to honour the request of the petitioners conditionally.

7. Resultantly, this Criminal Petition is allowed with the following conditions:

- (i) The petitioners/Accused Nos.5 and 6 are directed to surrender before the concerned Court within ten (10) days. On such surrender, they shall be enlarged on bail on each of them 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 petitioners/accused Nos.5 and 6 hold passports, they are directed to surrender the same.
- (iii) The petitioners/accused Nos.5 and 6 should not involve in any unlawful activity.
- (iv) The petitioners/accused Nos.5 and 6 should afford all assistance for proper investigation of the case.

(v) The petitioners/accused Nos.5 and 6 should not cause the evidence of the offences disappear.

(vi) The petitioners/accused Nos.5 and 6 should not tamper with the evidence in any manner.

(vii) The petitioners/accused Nos.5 and 6 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 petitioners/accused Nos.5 and 6 should ensure their presence whenever required by the Court or Police.

(ix) The petitioners/accused Nos.5 and 6 shall not leave India without previous permission of the Court concerned.

(x) The petitioners/accused Nos.5 and 6 shall report before the Station House Officer, Mancheri Town Police Station, Ramagundam District, on everyday between 10.30 a.m. and 12.00 p.m. till filing of the charge-sheet.

(xi) The petitioners/accused Nos.5 and 6 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. As a sequel, miscellaneous applications pending, if any, shall stand closed.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date: 28.11.2022

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