

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10336 of 2022

ORDER:

Heard Ms. Sowmya Reddy, learned counsel for the petitioner, as well as learned Additional Public Prosecutor who is representing the respondent.

2. This Criminal Petition is filed under Section 439 Cr.P.C seeking to enlarge the petitioner, who is arrayed as accused No.4 in S.C.No.173 of 2022 on the file of the Court of Metropolitan Sessions Judge, Cyberabad, Ranga Reddy District, on bail.

3. Learned counsel for the petitioner states that statutory bail was granted in favour of accused Nos.1 and 2 by this Court through orders in Criminal Petition No.5969 of 2022, dated 15.9.2022 and the same analogy applies so far as the petitioner is concerned and therefore, he is entitled for bail.

4. Learned Additional Public Prosecutor did not deny the fact that the petitioner stands on the same footing as that of accused Nos.1 and 2. Also, nothing is stated as to why a different view has to be taken. Therefore, this Court considers

it desirable to honour the request of the petitioner, however conditionally.

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

(i) The petitioner/accused No.4 shall be enlarged on bail on his 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 petitioner/accused No.4 holds passport, he is directed to surrender the same, if the same was not seized by now.

(iii) The petitioner/accused No.4 should not involve in any unlawful activity.

(iv) The petitioner/accused No.4 should not cause the evidence of the offence disappear.

(v) The petitioner/accused No.4 should not tamper with the evidence in any manner.

(vi) 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.

(vii) The petitioner/accused No.4 should ensure his presence whenever required by the Court or Police.

(viii) The petitioner/accused No.4 shall not leave India without previous permission of the court concerned.

(ix) The petitioner/accused No.4 shall file affidavit 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 petitioner shall intimate the court concerned by giving fresh affidavit duly mentioning the change.

Any deviation of the above conditions would entitle the respondent to take appropriate steps for cancellation of the bail granted.

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

Dr. JUSTICE CHILLAKUR SUMALATHA

12.12.2022
dr