HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10449 of 2022

ORDER:

1. Heard Sri Vijay B Paropkari, learned counsel for the petitioner as well as the learned Additional Public Prosecutor who is representing the respondent.

2. Seeking pre-arrest bail, the petitioner, who is arrayed as Accused No.3 in Crime No.238 of 2022 of Toopran Police Station, Medak District, is before this Court.

3. Learned counsel for the petitioner states that the petitioner has not committed any offence whatsoever. Learned counsel also states that the alleged injured were already discharged from the Hospital and the entire investigation is completed. Learned counsel further states that Accused Nos.1 & 2 were also enlarged on bail and as the petitioner is aged about 67 years, his request for anticipatory bail may be considered.

4. On the other hand, learned Additional Public Prosecutor states that the injured sustained grievous injuries. However, learned Additional Public Prosecutor did

not dispute the fact that the material part of investigation is completed.

5. Having considered these facts, this Court is of the view that the request of the petitioner can be honoured, however, conditionally.

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

(i) The petitioner/Accused No.3 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.30,000/- (Rupees Thirty 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.3 shall report before the Station House Officer, Toopran Police Station, Medak District, on every Monday

between 10.30 a.m. and 12:00 p.m. till filing of final report.

(iii) The petitioner/Accused No.3 should not involve in any unlawful activity.

(iv) The petitioner/Accused No.3 should afford all assistance for the proper investigation of the case.

(v) The petitioner/Accused No.3 should not cause the evidence of the offence disappear.

(vi) The petitioner/Accused No.3 should not tamper with the evidence in any manner.

(vii) The petitioner/Accused No.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) In case the petitioner/Accused No.3 holds a passport, he shall surrender the same.

(ix) The petitioner/Accused No.3 should ensure his presence whenever required by the Court or Police.

(x) The petitioner/Accused No.3 shall not leave India without previous permission of the Court concerned.

(xi) The petitioner/Accused No.3 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 afore-mentioned 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:08.12.2022
ysk

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10449 of 2022

Date:08.12.2022

ysk

CIVIL REVISION PETITION No.3578 of 2018

27.12.2021

DA