

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10524 of 2022

ORDER:

Seeking the Court grant of pre-arrest bail, the present Criminal Petition is filed. The relief sought for is by accused No.2 in Crime No.267 of 2022 of Uppal Police Station, Rachakonda.

2. Heard Sri P.Pradeep Kumar, learned counsel for the petitioner, as well as learned Additional Public Prosecutor who is representing the respondent-State.

3. Learned counsel for the petitioner states that the petitioner has not committed any offence whatsoever. Learned counsel submits that as per the contents of the complaint, entire allegations are directed against accused No.1 only and there is no role whatsoever that is played by the petitioner and that, accused No.1 was arrested and was enlarged on bail. Learned counsel also states that in case, the petitioner is arrested and remanded to judicial custody, his entire career would be spoiled and therefore, anticipatory bail may be granted.

4. Learned Additional Public Prosecutor, on the other hand, states that accused No.1 committed offences of cheating and misappropriation with a false promise of providing jobs with the active connivance of the petitioner and other accused. Learned Additional Public Prosecutor did not dispute the fact that accused No.1 was arrested and was enlarged on bail subsequently.

5. The case was registered in the month of March, 2022. Learned Additional Public Prosecutor states that nine witnesses were examined till now. Therefore, it is clear that material part of investigation is completed. Hence, this Court is of the view that the request of the petitioner for grant of anticipatory bail can be honoured.

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

- (i) The petitioner/accused No.2 is directed to surrender before the Court concerned 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 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.2 holds a passport, he is directed to surrender the same.

(iii) The petitioner/accused No.2 should not involve in any unlawful activity.

(iv) The petitioner/accused No.2 should afford all assistance for proper investigation of the case.

(v) The petitioner/accused No.2 should not cause the evidence of the offence disappear.

(vi) The petitioner/accused No.2 should not tamper with the evidence in any manner.

(vii) The petitioner/accused No.2 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 petitioner/accused No.2 should ensure his presence whenever required by the Court or Police.

(ix) The petitioner/accused No.2 shall not leave India without previous permission of the court concerned.

(x) The petitioner/accused No.2 shall report before the Station House Officer, Uppal Police Station, Rachakonda, on every Monday between 10.30 a.m. and 12.00 p.m. till filing of the final report.

(xi) The petitioner/accused No.2 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 in 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 bail granted.

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

Dr. JUSTICE CHILLAKUR SUMALATHA

05.12.2022
DR