

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10605 of 2022

ORDER:

1. Heard Sri Madhusudhan Rao, learned counsel for the petitioner as well as the learned Additional Public Prosecutor who is representing the Respondent.
2. Seeking the Court to enlarge the petitioner, who is arrayed as Accused No.1 in Crime No.697 of 2022 of K.P.H.B. Police Station, Kukatpally, Hyderabad, on bail, the present Criminal Petition is filed under Section 439 Cr.P.C.
3. Making his submission, learned counsel for the petitioner contends that the petitioner was illegally detained by police and thereafter, arrested. Learned counsel states that the petitioner has not committed any offence, whatsoever. Even according to the prosecution, the petitioner is in judicial custody for more than a month. Learned counsel states that the petitioner has not committed any offences of misappropriation or cheating and therefore, she is entitled for bail.

4. On the other hand, the submission of the learned Additional Public Prosecutor is that the petitioner was arrested on 29.10.2022 and was remanded to judicial custody. Learned Additional Public Prosecutor states that nine witnesses were examined till now.

5. The case of the prosecution in nutshell is that the *de facto* complainant has entrusted the administration of the Hospital that was run by him to the petitioner herein and taking advantage of the same, the petitioner diverted the amounts received by the Hospital and accumulated huge property. Subsequently, on noticing the acts of the petitioner, she was terminated. She revolted and further, her brother went to Hospital and threatened the *de facto* complainant.

6. As per the submissions made, the petitioner is in judicial custody since more than a month and that the material part of investigation is completed.

7. Having considered those facts, this Court considers desirable to honour the request of the petitioner, however, conditionally.

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

- (i) The petitioner/Accused No.1 shall be enlarged on bail on her executing a personal bond for Rs.1,00,000/- (Rupees One lakh 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.1 shall report before the Station House Officer, K.P.H.B Police Station, Kukatpally, on every Monday between 10.30 AM and 12.00 PM till filing of final report.
- (iii) The petitioner/Accused No.1 should not involve in any unlawful activity.
- (iv) The petitioner/Accused No.1 should afford all assistance for the proper investigation of the case.
- (v) The petitioner/Accused No.1 should not cause the evidence of the offence disappear.

- (vi) The petitioner/Accused No.1 should not tamper with the evidence in any manner.
- (vii) The petitioner/Accused No.1 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.1 holds a passport, she shall surrender the same if the same is not seized till now.
- (ix) The petitioner/Accused No.1 should ensure her presence whenever required by the Court or Police.
- (x) The petitioner/Accused No.1 shall not leave India without previous permission of the Court concerned.
- (xi) The petitioner/Accused No.1 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. 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 bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date: 07.12.2022

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