

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10776 of 2022

ORDER:

Heard Sri M.P.Kashyap, learned counsel for the petitioners, as well as learned Additional Public Prosecutor who is representing the respondent.

2. Seeking pre-arrest bail, the present Criminal Petition is filed under Section 438 Cr.P.C. by the petitioners.

3. Learned counsel for the petitioners states that though the petitioners are not arrayed as accused in Crime No.267 of 2022 of Kulsumpura Police Station, Hyderabad, they were called by Police to Police Station and were enquired. Learned counsel states that the petitioners are the employees of HDFC Bank. Learned counsel submits that even as per the contents of the First Information Report, the defacto complainant gave complaint to Police stating that her husband committed suicide by hanging due to financial problems and she stated nothing against the petitioners. Learned counsel also submits that the husband of the defacto complainant obtained loan from HDFC Bank and purchased a mobile phone, and the outstanding due as on

the date of his death was Rs.8,808/-. Learned counsel states that the petitioners apprehends arrest and therefore, they are before this Court.

4. On the other hand, the submission of learned Additional Public Prosecutor is that though there is nothing in the First Information Report against the petitioners, yet the case is under investigation.

5. Having considered the submissions thus made, this Criminal Petition is disposed of with the following directions:-

- (i) The Station House Officer, Kulsumpura Police Station, Hyderabad, is directed to enlarge the petitioners on bail, in case they are arrayed as accused in the crime in question and are arrested, on each of them executing a personal bond for Rs.20,000/- (Rupees Twenty thousand only) with two sureties for the like sum each to his satisfaction, on the same day of arrest. 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 petitioners should co-operate with the investigation in this case.

(iii) The Petitioners should not involve in any unlawful activity.

(iv) The petitioners should afford all assistance for proper investigation of the case.

(v) The petitioners should not cause the evidence of the offence disappear.

(vi) The petitioners should not tamper with the evidence in any manner.

(vii) The Petitioners 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 should ensure their presence whenever required by the Court or Police.

(ix) The petitioners shall not leave India without previous permission of the court concerned.

(x) The petitioners shall file separate affidavits before the Police 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 Police 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.

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

Dr. JUSTICE CHILLAKUR SUMALATHA

12.12.2022
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