

HON'BLE Dr.JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10961 of 2022

ORDER:

1. Heard Sri B.Ramesh Kumar, learned counsel for the petitioners as well as the learned Additional Public Prosecutor who is representing the respondent-State.
2. Seeking pre-arrest bail, the present Criminal Petition is filed. The petitioners are arrayed as Accused Nos.3 & 4 in Crime No.1311 of 2022 of Medipally Police Station, Rachakonda Commissionerate.
3. Making his submission, learned counsel for the petitioners states that basing on a trivial issue, a false case is foisted against the petitioners and the petitioners are students and in case they are arrested, their career would be spoiled. Learned counsel also states that Accused Nos.1 & 2 were arrested and were enlarged on bail and further, the entire investigation is completed. Learned counsel further submits that the alleged injured sustained only simple injuries.

4. Learned Additional Public Prosecutor, on the other hand, submits that one of the injured sustained grievous injuries. However, learned Additional Public Prosecutor states that the material part of investigation is completed.

5. Thus, having regard to the submissions made and taking into consideration the age and more particularly, the submission of the learned counsel for the petitioners that in case the petitioners are arrested, their future would be spoiled, this Court considers desirable to honour the request of the petitioners, however, conditionally.

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

- (i) The petitioners/Accused Nos.3 & 4 are directed to surrender before the concerned Court within ten (10) days. On such surrender, they shall be enlarged on bail on their executing a personal bond for Rs.50,000/- (Rupees Fifty Thousand only) each 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 petitioners/Accused Nos.3 & 4 shall report before the Station House Officer, Medipally Police Station, on every Monday, between 10.30 AM and 12:00 PM, till filing of final report.
- (iii) The petitioners/Accused Nos.3 & 4 should not involve in any unlawful activity.
- (iv) The petitioners/Accused Nos.3 & 4 should afford all assistance for the proper investigation of the case.
- (v) The petitioners/Accused Nos.3 & 4 should not cause the evidence of the offence disappear.
- (vi) The petitioners/Accused Nos.3 & 4 should not tamper with the evidence in any manner.
- (vii) The petitioners/Accused Nos.3 & 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 or to the Police Officer.
- (viii) In case the petitioners/Accused Nos.3 & 4 holds a passport, they shall surrender the same.

- (ix) The petitioners/Accused Nos.3 & 4 should ensure their presence whenever required by the Court or Police.
- (x) The petitioners/Accused Nos.3 & 4 shall not leave India without previous permission of the Court concerned.
- (xi) The petitioners/Accused Nos.3 & 4 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 aforementioned details, the petitioners shall intimate the Court concerned by giving a fresh affidavit 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 pre-arrest bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date:16.12.2022
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