

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.11523 of 2022

ORDER:

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

2. This Criminal Petition under Section 439 Cr.P.C. is filed seeking the Court to enlarge the petitioner, who is arrayed as accused No.3 in Crime No.245 of 2022 of Gadwal Town Police Station, Jogulamba-Gadwal District, on bail.

3. Making his submission, learned counsel for the petitioner states that the petitioner is in judicial custody since 54 days and the allegation that is levelled against the petitioner is that he shared the photographs that were shown to him by accused No.2, which belongs to two girls, to others through Whatsapp. Learned counsel submits that the earlier bail application moved by the petitioner stood dismissed on the ground of pendency of investigation and now, as the entire investigation is completed, the petitioner may be enlarged on bail.

4. On the other hand, learned Additional Public Prosecutor states that the petitioner is involved in sharing of photographs of girls to others. Learned Additional Public Prosecutor also states that ten witnesses were examined till now and the investigation is not yet completed.

5. Having considered the submissions thus made, this Court is of the view that the request of the petitioner can be honoured, however conditionally.

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

- (i) The petitioner/accused No.3 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.3 holds a passport, he is directed to surrender the same, if it is not seized by now.
- (iii) The petitioner/accused No.3 should not involve in any unlawful activity.
- (iv) The petitioner/accused No.3 should afford all assistance for 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) The petitioner/accused No.3 should ensure his presence whenever required by the Court or Police.
- (ix) The petitioner/accused No.3 shall not leave India without previous permission of the court concerned.

(x) The petitioner/accused No.3 shall report before the Station House Officer, Gadwal Town Police Station, Jogulamba-Gadwal District, on every Monday and Thursday between 10.30 a.m. and 12.00 p.m. till filing of the final report.

(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 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

29.12.2022
DR