

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.454 of 2023

ORDER:

This Criminal Petition is filed under Section 439 Cr.P.C. seeking the Court to enlarge the petitioner, who is arrayed as accused in Crime No.1372 of 2022 of Medipally Police Station, Rachakonda, on bail.

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

3. Learned counsel for the petitioner submits that the petitioner was brought on record in this case through execution of P.T. warrant and in all, the petitioner is in judicial custody since 38 days and further, the offences alleged to have been committed by the petitioner are punishable with imprisonment for a period less than seven years and therefore, she may be enlarged on bail.

4. On the other hand, the submission of the learned Additional Public Prosecutor is that the petitioner is involved in two other similar offences and the investigation in all the cases is pending.

5. The case of the prosecution in nutshell is that the petitioner laid honey trap and collected different amounts at different intervals from the defacto complainant and finally, stopped conversing with the defacto complainant.

6. The submission of the learned counsel for the petitioner that the petitioner is in judicial custody since 38 days and that the offences alleged to have been committed by the petitioner are punishable with imprisonment for a period less than seven years is not disputed by the learned Additional Public Prosecutor .

7. Having considered the submissions thus made by the learned counsel for the petitioner, this Court is of the view that the request of the petitioner can be honoured, however conditionally.

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

- (i) The petitioner/accused shall be enlarged on bail on her 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 holds a passport, she is directed to surrender the same, if it is not seized by now.

(iii) The petitioner/accused should not involve in any unlawful activity.

(iv) The petitioner/accused should afford all assistance for proper investigation of the case.

(v) The petitioner/accused should not cause the evidence of the offence disappear.

(vi) The petitioner/accused should not tamper with the evidence in any manner.

(vii) The petitioner/accused 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 should ensure her presence whenever required by the Court or Police.

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

(x) The petitioner/accused shall report before the Station House Officer, Medipally Police Station, Rachakonda, on every Tuesday between 10.30 a.m. and 12.00 p.m. till filing of the final report.

(xi) The petitioner/accused 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.

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

Dr. JUSTICE CHILLAKUR SUMALATHA

23.01.2023

dr