

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.600 of 2023

ORDER:

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

2. Seeking the Court to enlarge the petitioner, who is arrayed as accused No.1 in Crime No.674 of 2022 of Jagadgirigutta Police Station, on bail, the present Criminal Petition is filed under Section 439 Cr.P.C.

3. The matrix of the case, as could be perceived through the contents of the Remand Case Diary, is that the petitioner, who was the classmate of the victim girl, proposed to marry her, for which she accepted. They became closer and during that time, the petitioner captured photographs of the victim girl and thereafter, started blackmailing her and collected huge amount from her. Later, the victim girl requested the petitioner to delete those photographs and on that, the petitioner demanded Rupees Five lakhs. On such payment, the petitioner pretended of deleting the photos. Later, the

victim girl got married. However, the petitioner had again sent the photos of the said girl to her husband.

4. Making his submission, the learned counsel for the petitioner contends that the petitioner fell in love with the alleged girl and both thought of getting married, but the family members of the said girl attacked the petitioner and caused injuries to him and in that regard, a case was also registered. Learned counsel submits that the petitioner is in judicial custody since more than 80 days and as the entire investigation is completed, he may be enlarged on bail.

5. On the other hand, the submission of the learned Additional Public Prosecutor is that the petitioner is involved in another criminal case. However, learned Additional Public Prosecutor states that 15 material witnesses were examined till now and the charge sheet would be soon laid.

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

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

- (i) The petitioner/accused No.1 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.1 holds a passport, he is directed to surrender the same, if it is not seized by now.
- (iii) The petitioner/accused No.1 should not involve in any unlawful activity.
- (iv) The petitioner/accused No.1 should afford all assistance for 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) The petitioner/accused No.1 should ensure his presence whenever required by the Court or Police.

(ix) The petitioner/accused No.1 shall not leave India without previous permission of the court concerned.

(x) The petitioner/accused No.1 shall report before the Station House Officer, Jagadgirigutta Police Station, on every Monday between 10.30 a.m. and 12.00 p.m. till filing of the final report.

(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. 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.

(xii) In the light of the apprehension of the learned Additional Public Prosecutor that there is likelihood of the petitioner again contacting the victim girl, it is made clear that in case, the petitioner contacts the alleged victim girl either directly or indirectly, and in case, proof to that effect is produced before this Court or before the Court which deals with the case, the bail granted through this order would stand cancelled.

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

Dr. JUSTICE CHILLAKUR SUMALATHA

27.01.2023
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