

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

***CRIMINAL PETITION Nos.843, 844, 845, 849, 850, 986 and
987 of 2023***

COMMON ORDER:

These Criminal Petitions are filed under Section 438 Cr.P.C. for grant of pre-arrest in favour of the petitioner.

2. The petitioner is alleged to have been arrayed as accused No.2 in Crime No.311 of 2022 of Kandukur Police Station (Criminal Petition No.843 of 2023), in Crime No.384 of 2022 of Ibrahimpatnam (RCK) Police Station (Criminal Petition No.844 of 2023), in Crime No.353 of 2022 of Kandukur Police Station (Criminal Petition No.845 of 2023), in Crime No.212 of 2020 of Kandukur Police Station (Criminal Petition No.849 of 2023), in Crime No.773 of 2022 of Hayathnagar Police Station (Criminal Petition No.850 of 2023), in Crime No.98 of 2022 of Chinthapalli Police Station (Criminal Petition No.986 of 2023) and in Crime No.329 of 2022 of Kandukur Police Station (Criminal Petition No.987 of 2023).

3. Heard Sri Y.Bala Murali, learned counsel for the petitioner in all the Criminal Petitions, as well as learned

Additional Public Prosecutor who is representing the respondent-State.

4. Making his submission, learned counsel for the petitioner contends that initially the petitioner was arrested in connection with Crime No.361 of 2022 of Kandukur Police Station and was remanded to judicial custody. Thereafter, Police started registering series of cases against him, that too, showing him as accused No.2 in all the cases. Learned counsel states that in all the cases, the allegation that is levelled against the petitioner is that he committed theft of cattle and sheep. Learned counsel further submits that in none of the cases, any live stock or money was seized from the possession of the petitioner and it is not known how he was arrayed as accused. Learned counsel by stating so, seeks to grant the relief claimed.

5. On the other hand, the submission of the Learned Additional Public Prosecutor is that the involvement of the petitioner is found in all the cases. However, learned Additional Public Prosecutor did not state the basis on which

the investigating agency found the involvement of the petitioner in the aforementioned cases.

6. Having considered all these aspects, this Court is of the view that the request of the petitioner can be honoured, however conditionally.

7. Resultantly, all the Criminal Petitions are allowed with the following conditions:-

(i) The petitioner/accused No.2 is directed to surrender before the Court/Courts concerned within ten (10) days. On such surrender, he shall be enlarged on bail on his executing a separate personal bond in each case for a sum of Rs.30,000/- (Rupees Thirty thousand only) with two sureties for the like sum each to the satisfaction of the Court/Courts 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.2 holds a passport, he is directed to surrender the same.

(iii) The petitioner/accused No.2 should not involve in any unlawful activity.

(iv) The petitioner/accused No.2 should afford all assistance for proper investigation of the cases.

(v) The petitioner/accused No.2 should not cause the evidence of the offence disappear.

(vi) The petitioner/accused No.2 should not tamper with the evidence in any manner.

(vii) The petitioner/accused No.2 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/Courts or to the Police Officer concerned.

(viii) The petitioner/accused No.2 should ensure his presence whenever required by the Court/Courts or Police concerned.

(ix) The petitioner/accused No.2 shall not leave India without previous permission of the Court/Courts concerned.

(x) The petitioner/accused No.2 shall report before the Station House Officer, Kandukur

Police Station on every Sunday between 10.30 a.m. and 12.00 p.m. till filing of the final report.

(xi) The petitioner/accused No.2 shall report before the Station House Officer, Ibrahimpatnam (RCK) Police Station on every Tuesday between 10.30 a.m. and 12.00 p.m. till filing of the final report.

(xii) The petitioner/accused No.2 shall report before the Station House Officer, Hayathnagar Police Station on every Wednesday between 10.30 a.m. and 12.00 p.m. till filing of the final report.

(xiii) The petitioner/accused No.2 shall report before the Station House Officer, Chinthapalli Police Station on every Thursday between 10.30 a.m. and 12.00 p.m. till filing of the final report.

(xiv) The petitioner/accused shall file an affidavit before the Court/Courts 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/Courts concerned by giving a fresh affidavit duly mentioning the change. He shall continue to do so till filing of the final reports in the aforesaid cases.

Any deviation of the above conditions would entitle the respondent to take appropriate steps for cancellation of the bail granted.

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

Dr. JUSTICE CHILLAKUR SUMALATHA

08.02.2023
DR