

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.1160 of 2023

ORDER:

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

2. This Criminal Petition is filed under Section 438 Cr.P.C. for grant of pre-arrest bail in favour of the petitioner, who is arrayed as accused No.1 in Crime No.252 of 2022 of Manakondur Police Station, Karimnagar District.

3. Stating that the petitioner has not committed any offence whatsoever, learned counsel for the petitioner submits that the allegations levelled against the petitioner are that though he promised to marry the defacto complainant, subsequently, he failed to keep up such a promise.

Learned Additional Public Prosecutor submits that six (6) material witnesses were examined till now.

The contents of the complaint goes to show that the petitioner and the defacto complainant fell in love with each other and decided to get married. They participated in sexual

intercourse, but, subsequently the petitioner refused to marry the defacto complainant.

The submission of the learned counsel for the petitioner is that neither Sections 417, 420 and 506 IPC nor Section 376 IPC attracts to the case facts.

Having considered the contents of the complaint, which also goes to show that the petitioner is related to the defacto complainant and further, taking into consideration the fact that the material part of investigation is completed, 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 is directed to surrender before the Court concerned within ten (10) days. On such surrender, he shall be enlarged on bail on his executing a personal bond for Rs.75,000/- (Rupees Seventy Five 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.
- (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, Manakondur Police Station, Karimnagar District, on every Sunday and Thursday 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.

Dr. JUSTICE CHILLAKUR SUMALATHA

15.02.2023
DR