

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.1417 of 2023

ORDER:

1. Heard the submission of Sri R. Sridhar, learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor who is representing respondent Nos.1 and 2.

2. Seeking pre-arrest bail, the petitioner, who is arrayed as Accused No.2 in Crime No.666 of 2021 of L.B. Nagar Law and Order Police Station, Hyderabad, is before this Court.

3. Stating that the petitioner has not committed any offence, learned counsel for the petitioner submits that the wife of the petitioner is indulged in prostitution and though the petitioner reprimanded her, she continued and ultimately, she was caught by police. She turned blame on the petitioner. Learned counsel also states that the petitioner was not at the alleged scene of offence even as per the version of the prosecution. Learned counsel further states that the earlier application filed for grant of anticipatory bail stood dismissed due to pendency of

investigation and as the investigation is completed and chargesheet is laid, anticipatory bail may be granted.

4. *Per contra*, the submission of learned Additional Public Prosecutor is that the petitioner was supplying girls and he got involved even his wife in the illegal activities. However, learned Additional Public Prosecutor also states that on completion of investigation, charge sheet is laid.

5. Gone through the material available on record. Having considered the submissions made by both the parties, this Court is of the view the request of the petitioner can be honored however conditionally.

6. In the result, the Criminal Petition is allowed with the following conditions:

- (i) The petitioner/Accused No.2 is directed to surrender before the concerned Court within ten (10) days. On such surrender, he shall be enlarged on bail on his executing a personal bond for Rs.1,00,000/- (Rupees One lakh only) with two sureties for 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) The petitioner/Accused No.2 should not involve in any unlawful activity.
- (iii) The petitioner/Accused No.2 should not cause the evidence of the offence disappear.
- (iv) The petitioner/Accused No.2 should not tamper with the evidence in any manner.
- (v) 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 or to the Police Officer.
- (vi) In case the petitioner/Accused No.2 holds a passport, he shall surrender the same.
- (vii) The petitioner/Accused No.2 should ensure his presence whenever required by the Court or Police.
- (viii) The petitioner/Accused No.2 shall not leave India without previous permission of the Court concerned.
- (ix) Petitioner is directed to not to leave the jurisdiction limits of the trial Court till the conclusion of the proceedings in the case in question. If, the petitioner wants to leave the jurisdiction limits, he has to obtain permission from the trial Court

indicating cogent and convincing reasons. In case, the petitioner leaves the jurisdiction limits of the Court, the prosecuting agency is at liberty to take steps for cancellation of bail granted.

- (x) The petitioner/Accused No.2 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 of the aforementioned details, the petitioner shall intimate the court concerned by giving a fresh affidavit duly mentioning the change.

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

Dr. JUSTICE CHILLAKUR SUMALATHA

Date: 17.02.2023
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HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.1417 of 2023

Date:17.22.2023

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