

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.1466 of 2023

ORDER:

This is an application filed under Section 438 Cr.P.C. for grant of pre-arrest bail in favour of the petitioner, who is arrayed as accused No.3 in Crime No.172 of 2022 of Zahirabad Rural Police Station, Sangareddy District.

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

3. Learned counsel for the petitioner submits that on this day, by allowing Criminal Petition No.1475 of 2023, this Court granted regular bail in favour of accused Nos.1 and 2 in the crime in question. Learned counsel further submits that the petitioner, who is arrayed as accused No.3, is aged about 70 years and therefore, she is not arrested by Police and the petitioner is not in a position even to walk and therefore, anticipatory bail may be granted. Learned counsel further submits that as per the version of the prosecution, the accused abetted the son of the defacto complainant to

commit suicide and indeed, the petitioner, who is the mother of accused No.1, had did nothing.

4. Learned Additional Public Prosecutor states that 15 material witnesses were examined till now.

5. Thus by the submission of the learned Additional Public Prosecutor, it is clear that material part of investigation is completed. Therefore, this Court is of the view that the request of the petitioner can be honoured.

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

- (i) The petitioner/accused is directed to surrender before the Court concerned within ten (10) days. On such surrender, she shall be enlarged on bail on her executing a personal bond for Rs.30,000/- (Rupees Thirty 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.3 holds a passport, she is directed to surrender the same, if it is not seized by now.
- (iii) The petitioner/accused No.3 should not involve in any unlawful activity.
- (iv) The petitioner/accused No.3 should afford all assistance for proper investigation of the case.
- (v) The petitioner/accused No.3 should not cause the evidence of the offence disappear.
- (vi) The petitioner/accused No.3 should not tamper with the evidence in any manner.
- (vii) The petitioner/accused No.3 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.3 should ensure her presence whenever required by the Court or Police.
- (ix) The petitioner/accused No.3 shall not leave India without previous permission of the court concerned.

(x) The petitioner/accused No.3 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.

Dr. JUSTICE CHILLAKUR SUMALATHA

20.02.2023

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