

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.1742 of 2023

ORDER:

1. Heard Sri Mahesh Raje, 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 in Crime No.20 of 2023 of Panjagutta Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

3. Stating that the petitioner is innocent, learned counsel for the petitioner contends that the petitioner was arrested on 06.01.2023 and was remanded to judicial custody and since then, he is in judicial custody.

4. The submission of the learned Additional Public Prosecutor is that Section 161 Cr.P.C. statement of the defacto complainant was recorded and five witnesses were examined till now.

5. The facts of the case in brief as could be perceived through the contents of Part-I Case Diary is that the defacto complainant came into contact with the petitioner

through a common friend and thereafter, they became close and they had sexual intercourse several times. The petitioner promised to marry the defacto complainant, but ultimately refused to marry.

6. Having considered the facts of the case and that the petitioner is in judicial custody since more than forty five days and completion of material part of investigation, this Court is of the view that the request of the petitioner can be honoured, however, conditionally.

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

- (i) The petitioner/Accused shall be enlarged on bail on his executing a personal bond for Rs.50,000/- (Rupees Fifty Thousand 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 shall report before the Station House Officer, Panjagutta Police Station on every Monday between 10.30 AM and 12.00 PM till filing of final report.
- (iii) The petitioner/Accused should not involve in any unlawful activity.
- (iv) The petitioner/Accused should afford all assistance for the proper investigation of the case.
- (v) The petitioner/Accused should not cause the evidence of the offence disappear.
- (vi) The petitioner/Accused should not tamper with the evidence in any manner.
- (vii) The petitioner/Accused 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) In case the petitioner/Accused holds a passport, he shall surrender the same if the same is not seized till now.

- (ix) The petitioner/Accused should ensure his presence whenever required by the Court or Police.
- (x) The petitioner/Accused shall not leave India without previous permission of the Court concerned.
- (xi) The petitioner/Accused 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

Date: 27.02.2023

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