

HON'BLE Dr.JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.1783 of 2023

CRIMINAL PETITION No.1788 of 2023

CRIMINAL PETITION No.1789 of 2023

AND

CRIMINAL PETITION No.1820 of 2023

COMMON ORDER:

1. Heard Sri U.Sunny, learned counsel who is representing Sri K.Satish Chakravarthy, learned counsel on record for the petitioners as well as the learned Additional Public Prosecutor who is representing the Respondent-State.
2. Criminal Petition No.1783 of 2023 is filed on behalf of Accused Nos.9 & 12; Criminal Petition No.1788 of 2023 is filed on behalf of Accused Nos.16 & 18; Criminal Petition No.1789 of 2023 is filed on behalf of Accused Nos.4 & 8 and Criminal Petition No.1820 of 2023 is filed on behalf of Accused Nos.20 & 22 in Crime No.15 of 2023 of Chegunta Police Station, Medak District, all under Section 438 Cr.P.C., for grant of pre-arrest bail.
3. The matrix of the case as could be perceived through the contents of the material available on record, including the

complaint and the remand report in respect of the accused who were arrested, is that one Smt.Sharada @ Sujatha committed suicide. On the ground that the said woman committed suicide due to the involvement of the accused in Crime No.14 of 2023 of Chegunta Police station, all the accused, including the petitioners herein, formed into an unlawful assembly and attacked the house of the defacto complainant and the house of her brother-in-law, forcibly opened the doors, brought the household articles outside and set fire and thereby committed offences punishable under Sections 436, 452, 427, 147 read with 149 IPC.

4. The submission of the learned counsel for the petitioners is that the petitioners are innocent and the petitioners would abide by any of the conditions imposed in case anticipatory bail is granted.

5. On the other hand, the submission of the learned Additional Public Prosecutor is that the case is still under investigation. Learned Additional Public Prosecutor also states that the direct involvement of Accused Nos.4, 8, 9 & 18 is found during the course of investigation. Having

considered the said submission, this Court is of the view that the request of those accused for grant of anticipatory bail, cannot be honoured.

6. Resultantly, Criminal Petition No.1783 of 2023 and Criminal Petition No.1788 of 2023 are allowed-in-part. Criminal Petition No.1820 of 2023 is allowed and Criminal Petition No.1789 of 2023 is dismissed.

- (i) The petitioners/Accused Nos.12, 16, 20 & 22 are directed to surrender before the concerned Court within ten (10) days. On such surrender, they shall be enlarged on bail on their executing a personal bond for Rs.50,000/- (Rupees Fifty Thousand only) each 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 petitioners/Accused Nos.12, 16, 20 & 22 shall report before the Station House Officer, Chegunta Police Station, on every Sunday and Thursday

between 10.30 A.M. and 12:00 P.M. till filing of final report.

- (iii) The petitioners/Accused Nos.12, 16, 20 & 22 should not involve in any unlawful activity.
- (iv) The petitioners/Accused Nos.12, 16, 20 & 22 should afford all assistance for the proper investigation of the case.
- (v) The petitioners/Accused Nos.12, 16, 20 & 22 should not cause the evidence of the offence disappear.
- (vi) The petitioners/Accused Nos.12, 16, 20 & 22 should not tamper with the evidence in any manner.
- (vii) The petitioners/Accused Nos.12, 16, 20 & 22 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 petitioners/Accused Nos.12, 16, 20 & 22 hold passport, they shall surrender the same.
- (ix) The petitioners/Accused Nos.12, 16, 20 & 22 should ensure their presence whenever required by the Court or Police.

(x) The petitioners/Accused Nos.12, 16, 20 & 22 shall not leave India without previous permission of the Court concerned.

(xi) The petitioners/ Accused Nos.12, 16, 20 & 22 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 petitioners shall intimate the Court concerned by giving fresh affidavits duly mentioning the change. They 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 pre-arrest bail granted.

7. The request of the petitioners/Accused Nos.4, 8, 9 & 18 cannot be honoured at this stage.

8. Miscellaneous petitions, if any pending, shall stand closed.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date:03.03.2023
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