

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION Nos.1824 & 1825 of 2023

COMMON ORDER:

Heard Sri T.Rajinikanth Reddy, learned counsel for the petitioners, as well as learned Additional Public Prosecutor who is representing the respondent-State.

2. Seeking the Court to grant anticipatory bail in favour of the petitioners, who are arrayed as accused Nos.3 and 4 in Crime No.291 of 2022 of Asifabad Police Station, Kumuram Bheem-Asifabad District, the present Criminal Petitions are filed under Section 438 Cr.P.C.

3. Referring to the order that is rendered by this Court in Criminal Petition No.11230 of 2022, dated 22.12.2022, learned counsel for the petitioners states that through the said order, anticipatory bail was granted in favour of accused No.1 and applying the same analogy, the present Criminal Petitions may be allowed.

4. Learned Additional Public Prosecutor states that though initially, the petitioners were not named in the First Information Report, their involvement was traced subsequently. Learned Additional Public Prosecutor submits

that accused No.3 worked as Data Entry Operator and accused No.4 worked as Technical Assistant at MLS Point, Asifabad. Learned Additional Public Prosecutor further states that ten witnesses were examined till now.

5. The case on hand is in respect of shortage of huge quantity of stock i.e., rice and misappropriation of the same at MLS Point, Asifabad. By the submission made by the learned Additional Public Prosecutor, it is clear that the material part of investigation is completed. Therefore, this Court is of the view that the request of the petitioners can be honoured, however conditionally.

6. Resultantly, both the Criminal Petitions are allowed with the following conditions:-

- (i) The petitioners/accused Nos.3 and 4 are directed to surrender before the Court concerned within ten (10) days. On such surrender, they shall be enlarged on bail on each of them 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 petitioners/accused Nos.3 and 4 hold passports, they are directed to surrender the same.

(iii) The petitioners/accused Nos.3 and 4 should not involve in any unlawful activity.

(iv) The petitioners/accused Nos.3 and 4 should afford all assistance for proper investigation of the case.

(v) The petitioners/accused Nos.3 and 4 should not cause the evidence of the offence disappear.

(vi) The petitioners/accused Nos.3 and 4 should not tamper with the evidence in any manner.

(vii) The petitioners/accused Nos.3 and 4 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 petitioners/accused Nos.3 and 4 should ensure their presence whenever required by the Court or Police.

(ix) The petitioners/accused Nos.3 and 4 shall not leave India without previous permission of the court concerned.

(x) The petitioners/accused Nos.3 and 4 shall report before the Station House Officer, Asifabad Police Station, Kumuram Bheem-Asifabad District, on every Monday between 10.30 a.m. and 12.00 p.m. till filing of the final report.

(xi) The petitioners/accused Nos.3 and 4 shall file separate affidavits 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 petitioners shall intimate the court concerned by giving fresh separate 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 bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

01.3.2023
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