

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.2160 OF 2023

ORDER:

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

2. This Criminal Petition is filed under Section 439 Cr.P.C. seeking the Court to enlarge the petitioners, who are arrayed as accused Nos.2 and 3 in Crime No.30 of 2023 of Santosh Nagar Police Station, Hyderabad, on bail. However, on this day, learned counsel for the petitioners seeks permission to not press the criminal petition against petitioner No.1/accused No.2.

3. Permission, as prayed for, is accorded, and therefore, the criminal petition, so far as petitioner No.1/accused No.2 is concerned, stands dismissed.

4. Making his submission in respect of petitioner No.2/accused No.3, learned counsel states that petitioner No.2 is the father-in-law of the alleged injured and even as per the contents of the complaint, he did not participate in any of the acts. Learned counsel also submits that petitioner

No.2 was arrested on 06.02.2023 and since then he is in judicial custody and as the entire investigation is completed, he may be enlarged on bail.

5. Learned Additional Public Prosecutor states that twelve witnesses were examined till now.

6. Thus, by the submissions made, it is clear that petitioner No.2/accused No.3 is in judicial custody since more than one month and that the material part of investigation is completed. Therefore, this Court considers it desirable to honour the request of the petitioner No.2/accused No.3, however conditionally.

7. Resultantly, the Criminal Petition is allowed, so far as petitioner No.2/accused No.3 is concerned, with the following conditions:-

- (i) Petitioner No.2/accused No.3 shall be enlarged on bail on his executing a personal bond for Rs.30,000/- (Rupees Thirty 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) Petitioner No.2/accused No.3 shall report before the Station House Officer, Santosh Nagar Police Station, Hyderabad, on every Monday between 10.30 a.m. and 12.00 p.m. till filing of the final report.

(iii) Petitioner No.2/accused No.3 should not involve in any unlawful activity.

(iv) Petitioner No.2/accused No.3 should afford all assistance for proper investigation of the case.

(v) Petitioner No.2/accused No.3 should not cause the evidence of the offence disappear.

(vi) Petitioner No.2/accused No.3 should not tamper with the evidence in any manner.

(vii) Petitioner No.2/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) In case, petitioner No.2/accused No.3 holds a passport, he is directed to surrender the same, if it is not seized till now.

- (ix) Petitioner No.2/accused No.3 should ensure his presence whenever required by the Court or Police.
- (x) Petitioner No.2/accused No.3 shall not leave India without previous permission of the Court concerned.
- (xi) Petitioner No.2/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, petitioner No.2/accused No.3 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: 09.3.2023
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HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.2160 of 2023

Date:09.03.2023

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