

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.2289 OF 2023

ORDER:

Heard Sri Seeloju Shiva Kumar, 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 No.2 in Crime No.161 of 2023 of Uppal Police Station, Rachakonda Commissionerate, on bail, the present criminal petition is filed under Section 439 Cr.P.C..

3. Learned counsel for the petitioner contends that the petitioner is innocent and she is in judicial custody since 07.02.2023 and as the entire investigation is completed and charge-sheet is also laid, she may be enlarged on bail.

4. The submission of learned Additional Public Prosecutor, on the other hand, is that the petitioner was found to be an organizer of a brothel house and therefore, she was arrested and remanded to judicial custody.

5. Learned Additional Public Prosecutor did not deny the fact that the investigation is completed and charge-sheet is laid.

6. Thus, having regard to the nature of the allegations levelled, the period within which the petitioner is in judicial custody and the fact of completion 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 No.2 shall be enlarged on bail on her 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) The petitioner/Accused No.2 should not involve in any unlawful activity.
- (iii) The petitioner/Accused No.2 should not cause the evidence of the offence disappear.
- (iv) The petitioner/Accused No.2 should not tamper with the evidence in any manner.

- (v) The petitioner/Accused No.2 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.
- (vi) In case, the petitioner/Accused No.2 holds a passport, she is directed to surrender the same, if it is not seized till now.
- (vii) The petitioner/Accused No.2 should ensure her presence whenever required by the Court or Police.
- (viii) The petitioner/Accused No.2 shall not leave India without previous permission of the Court concerned.
- (ix) The petitioner/Accused No.2 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.

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.2289 of 2023

Date:09.03.2023

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