

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.2600 of 2023

ORDER:

1. Heard Sri K.G.Krishna Murthy, learned Senior Counsel who argued on behalf of Ms.K.Kiran Mayee, learned counsel on record for the petitioner as well as the learned Additional Public Prosecutor who is representing the Respondent-State.

2. Seeking post-arrest bail, the present Criminal Petition is filed under Section 439 Cr.P.C. on behalf of the petitioner, who is arrayed as Accused No.1 in Crime No.575 of 2022 of Saroornagar Police Station.

3. Making his submission, learned counsel for the petitioner contends that the petitioner was arrested on 11.01.2023 and he is in judicial custody since seventy days. Learned counsel also submits that the petitioner has not committed any offence whatsoever and as the amount could not be disbursed within time, a false complaint is given to Police.

4. The submission of the learned Additional Public Prosecutor, on the other hand, is that the petitioner, along with three others, started Chit Fund business under the name and style *Sri R R Sravika Chit Funds Company* and collected amount on daily basis, but failed to return the money as per the terms and conditions. Learned Additional Public Prosecutor also states that the petitioner is yet to return Rs.5,00,000/- each to twenty five victims. Learned Additional Public Prosecutor further states that eight (8) witnesses were examined till now.

5. There is no denial that the petitioner is in judicial custody since seventy days. Also, as per the submission of the learned Additional Public Prosecutor, the material part of investigation is completed.

6. Having perceived these facts, 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.1 shall be enlarged on bail on his executing a personal bond for Rs.1,00,000/- (Rupees One Lakh 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.1 shall report before the Station House Officer, Saroornagar Police Station (Rachakonda), on every Sunday and Thursday between 10.30 A.M and 12.00 P.M till filing of final report.
- (iii) The petitioner/Accused No.1 should not involve in any unlawful activity.
- (iv) The petitioner/Accused No.1 should afford all assistance for the proper investigation of the case.
- (v) The petitioner/Accused No.1 should not cause the evidence of the offence disappear.

- (vi) The petitioner/Accused No.1 should not tamper with the evidence in any manner.
- (vii) The petitioner/Accused No.1 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 No.1 holds a passport, he shall surrender the same if the same is not seized till now.
- (ix) The petitioner/Accused No.1 should ensure his presence whenever required by the Court or Police.
- (x) The petitioner/Accused No.1 shall not leave India without previous permission of the court concerned.
- (xi) The petitioner/Accused No.1 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:21.03.2023

ysk

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.2600 of 2023

Date:21.03.2023

ysk