

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.2653 of 2023

ORDER:

1. Heard Sri M.A.K.Mukheed, learned counsel for the petitioners 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 petitioners, who are arrayed as Accused Nos.4 & 5 in Crime No.2 of 2023 of VI Town Police Station, Nizamabad District.
3. Stating that the prime accused were already enlarged on bail through the orders of the Court of Sessions Judge, Nizamabad, in CrI.M.P.Nos.112 & 118 of 2023, dated 23.03.2023, learned counsel for the petitioners seeks to enlarge the petitioners on bail.
4. Learned Additional Public Prosecutor states that in the light of completion of material part of investigation, necessary orders may be passed.

5. Having considered the submissions thus made, this Court is of the view that the request of the petitioners can be honoured, however, conditionally.

6. Resultantly, the Criminal Petition is allowed with the following conditions:-

(i) The petitioners/Accused Nos.4 & 5 shall be enlarged on bail on their executing a personal bond for Rs.30,000/- (Rupees Thirty 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.4 & 5 shall report before the Station House Officer, VI Town Police Station, Nizamabad District, on every Monday between 10.30 A.M and 12.00 P.M till filing of final report.

- (iii) The petitioners/Accused Nos.4 & 5 should not involve in any unlawful activity.
- (iv) The petitioners/Accused Nos.4 & 5 should afford all assistance for the proper investigation of the case.
- (v) The petitioners/Accused Nos.4 & 5 should not cause the evidence of the offence disappear.
- (vi) The petitioners/Accused Nos.4 & 5 should not tamper with the evidence in any manner.
- (vii) The petitioners/Accused Nos.4 & 5 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.4 & 5 hold a passport, they shall surrender the same if the same is not seized till now.
- (ix) The petitioners/Accused Nos.4 & 5 should ensure their presence whenever required by the Court or Police.
- (x) The petitioners/Accused Nos.4 & 5 shall not leave India without previous permission of the Court concerned.

(xi)The petitioners/Accused Nos.4 & 5 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 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 bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date:27.03.2023

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