

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA**CRIMINAL PETITION No.3127 of 2023****ORDER:**

1. Heard Sri T.Rajnikanth Reddy, learned counsel who represented Sri P.Shravan Kumar Goud, learned counsel on record for the petitioners as well as the learned Additional Public Prosecutor who is representing the Respondent-State.
2. Seeking the Court to enlarge the petitioners, who are arrayed as Accused Nos.1 & 2 in Crime No.30 of 2023 of Konaraopet Police Station, Rajanna Sircilla District, on bail, the present Criminal Petition is filed under Section 439 Cr.P.C.
3. Stating that the petitioners moved an application vide Criminal Petition No.2349 of 2023 for grant of bail, but their request was dishonoured as the investigation was still pending at that time and as of now, the investigation is completed, therefore, they may be enlarged on bail, learned counsel for the petitioners seeks the relief claimed. Learned counsel for the petitioners also states that bail was granted by the Sessions Court in favour of Accused Nos.3 & 4. Learned

counsel further submits that the petitioners were arrested on 12.02.2023 and since then, they are in judicial custody.

4. The submission of the learned Additional Public Prosecutor, on the other hand, is that Test Identification Parade was conducted and the investigation is also completed.

5. As per the contents of the Case Diary, the petitioners committed offence punishable under Section 307 read with 34 IPC.

6. Having perceived the fact that the petitioners are in judicial custody since more than forty (40) days and the investigation is completed, this Court is of the view that the request of the petitioners can be considered.

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

- (i) The petitioners/Accused Nos.1 & 2 shall be enlarged on bail on their executing a personal bond for Rs.50,000/- (Rupees Fifty 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.1 & 2 should not involve in any unlawful activity.
- (iii) The petitioners/Accused Nos.1 & 2 should not cause the evidence of the offence disappear.
- (iv) The petitioners/Accused Nos.1 & 2 should not tamper with the evidence in any manner.
- (v) The petitioners/Accused Nos.1 & 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 petitioners/Accused Nos.1 & 2 hold a passport, they shall surrender the same if the same is not seized till now.
- (vii) The petitioners/Accused Nos.1 & 2 should ensure their presence whenever required by the Court or Police.
- (viii) The petitioners/Accused Nos.1 & 2 shall not leave India without previous permission of the Court concerned.

(ix) The petitioners/Accused Nos.1 & 2 shall file 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 affidavits duly mentioning the change. They shall continue to do so till filing of 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:31.03.2023

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