

HON'BLE Dr.JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.3565 of 2023

ORDER:

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

2. Seeking pre-arrest bail, the present Criminal Petition is filed under Section 438 Cr.P.C. on behalf of the petitioner, who is arrayed as Accused No.2 in Crime No.575 of 2022 of Saroornagar Police Station.

3. Contending that the petitioner is innocent and there are no overt acts against the petitioner, learned counsel for the petitioner submits that the 1st accused was arrested by the Police and this Court, through orders in Criminal Petition No.2600 of 2023, enlarged him on bail. Learned counsel also submits that the entire investigation is completed. The petitioner is a woman having two children to look after and therefore, anticipatory bail may be granted.

4. The submission of the learned Additional Public Prosecutor, on the other hand, is that the petitioner, along with other accused, had cheated the public who have deposited their amount in the chit fund business of Accused No.1. Learned Additional Public Prosecutor further submits that ten (10) witnesses were examined till now.

5. As per the version of the prosecution, the accused used to run chit fund business in the name and style *Sri RR Sravika Chit Funds* and they collected different amounts from the victims and finally closed their office. The case was registered in the month of July 2022. As per the material available on record and by the submission of the learned Additional Public Prosecutor, it is clear that the material part of investigation is completed. The submission of the learned counsel for the petitioner is that the prime accused is Accused No.1 only.

6. Having considered these facts, this Court is of the view that the request of the petitioner can be honoured, however, conditionally.

7. In the result, the Criminal Petition is allowed with the following conditions:

- (i) The petitioner/Accused No.2 is directed to surrender before the concerned Court within ten (10) days. On such surrender, she shall be enlarged on bail on her executing a personal bond for Rs.50,000/- (Rupees Fifty 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 shall report before the Station House Officer, Saroornagar Police Station 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.2 should not involve in any unlawful activity.
- (iv) The petitioner/Accused No.2 should afford all assistance for the proper investigation of the case.

- (v) The petitioner/Accused No.2 should not cause the evidence of the offence disappear.
- (vi) The petitioner/Accused No.2 should not tamper with the evidence in any manner.
- (vii) 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.
- (viii) In case the petitioner/Accused No.2 holds a passport, she shall surrender the same.
- (ix) The petitioner/Accused No.2 should ensure her presence whenever required by the Court or Police.
- (x) The petitioner/Accused No.2 shall not leave India without previous permission of the Court concerned.
- (xi) 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 of the aforementioned details, the petitioner shall intimate the court concerned by giving a fresh affidavit duly

mentioning the change. She 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 pre-arrest bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date:18.04.2023

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