

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.3700 of 2023

ORDER:

1. Heard Sri G.Rajeshwar Rao, learned counsel for the petitioner as well as the learned Additional Public Prosecutor who is representing the Respondent-State.
2. This Criminal Petition is filed under Section 439 Cr.P.C. seeking the Court to enlarge the petitioner, who is arrayed as Accused in Crime No.37 of 2023 of Gadwal Town Police Station, Jogulamba Gadwal District, on bail.
3. Making his submission that the petitioner is a woman and she has not committed any offence, whatsoever, learned counsel for the petitioner submits that the petitioner is in judicial custody since more than two months and therefore, she may be enlarged on bail.
4. The submission of the learned Additional Public Prosecutor, on the other hand, is that the investigation is still pending and eight (8) witnesses were examined till now.

5. As per the version of the prosecution, the petitioner was found running a brothel home and therefore, she was arrested and the incriminating material was seized.

6. By the submission of the learned Additional Public Prosecutor, it is clear that the material part of investigation is completed. Also, there is no denial of the fact that the petitioner is in judicial custody since more than two months.

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

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

- (i) The petitioner/Accused 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 should not involve in any unlawful activity.
- (iii) The petitioner/Accused should afford all assistance for the proper investigation of the case.
- (iv) The petitioner/Accused should not cause the evidence of the offence disappear.
- (v) The petitioner/Accused should not tamper with the evidence in any manner.
- (vi) The petitioner/Accused 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.
- (vii) In case the petitioner/Accused holds a passport, she shall surrender the same if the same is not seized till now.
- (viii) The petitioner/Accused should ensure her presence whenever required by the Court or Police.
- (ix) The petitioner/Accused shall not leave India

without previous permission of the Court concerned.

(x) The petitioner/Accused 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. 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 bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date:20.04.2023

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