

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.3816 of 2023

ORDER:

Heard Sri P.V.L.Bhanu Prakash, learned counsel 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.88 of 2023 of Kandukur Police Station, Rachakonda Commissionerate.

3. Contending that the petitioner is innocent, learned counsel for the petitioner states that even as per the contents of the complaint, except a bare statement that the petitioner has caused inconvenience to the husband of the defacto complainant, there is no averment to show that the petitioner instigated the husband of the defacto complainant to commit suicide. Learned counsel submits that as the case facts does not attract Section 306 IPC, the relief of anticipatory bail was granted by this Court in favour of accused No.1 through orders in Criminal Petition No.3094 of 2023, dated 06.4.2023 and hence, the relief sought for may be granted.

4. Learned Additional Public Prosecutor seeks the Court to dispose of the present Criminal Petition on merits.

5. Having considered the submissions thus made and also taking into consideration the fact that there are no grave allegations against the petitioner in the complaint given, this Court is of the view that the request of the petitioner can be honoured, however conditionally.

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

(i) The petitioner/accused No.2 is directed to surrender before the Court concerned within ten (10) days. On such surrender, he shall be enlarged on bail on his executing a personal bond for Rs.30,000/- (Rupees Thirty thousand only) with two sureties for the 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) In case, the petitioner/accused No.2 holds a passport, he is directed to surrender the same.

(iii) The petitioner/accused No.2 should not involve in any unlawful activity.

(iv) The petitioner/accused No.2 should afford all assistance for 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) The petitioner/accused No.2 should ensure his presence whenever required by the Court or Police.

(ix) The petitioner/accused No.2 shall not leave India without previous permission of the court concerned.

(x) 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 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

25.4.2023
dr