

THE HONOURABLE SRI JUSTICE SAMBASIVA RAO NAIDU

CRIMINAL PETITION No.4698 of 2023

ORDER:

This Criminal Petition is filed by the petitioner – accused under Sections 437 and 439 of the Code of Criminal Procedure, 1973 seeking to enlarge him on bail in Crime No.260 of 2023 of Panjagutta Police Station, Hyderabad, which was registered for the offences punishable under Section 307 of Indian Penal Code.

2. Briefly the case of the prosecution as per the remand case diary is that on 23.04.2023 a report has been lodged by the *de facto* complainant before the police with an allegation that the petitioner made an attempt to murder on the *de facto* complainant and caused bleeding injury in the stomach.

3. Heard the learned counsel appearing for the petitioner – Accused, learned Public Prosecutor appearing for the respondent-State and perused the grounds of bail application.

4. Learned counsel for the petitioner submits that the petitioner has been in judicial custody since 23.04.2023 and the *de facto* complainant was already discharged from hospital. Learned counsel submits that the petitioner is ready to furnish solvent sureties to the satisfaction of the Court and ready to abide by the conditions that may be imposed by the Court.

5. On the other hand, learned Public Prosecutor opposed for granting bail to the petitioner.

6. As per the remand case diary, the petitioner is working as Chef at Hotel Taj Deccan and the *de facto* complainant is his colleague. On perusal of the material on record, the *de facto* complainant who was admitted in Yashoda Hospital was already discharged and the investigating officer has examined the victim, eye witness and other material witnesses, therefore, the question of petitioner herein influencing the witnesses or tampering the evidence may not arise.

7. Considering all the circumstances, this Court is inclined to grant regular bail to the petitioner on certain terms and conditions.

8. In the result, the Criminal petition is allowed and the petitioner - accused is granted bail subject to the following conditions:

- i) The petitioner - accused is directed to be released on bail on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for the like sum each to the satisfaction of the Court concerned.
- ii) On such release, the petitioner shall appear before the investigating officer concerned on 1st and 3rd Sunday of every month between 10.30 AM and 12.00 PM for a period of six (06) months and thereafter as and when required for the purpose of investigation.
- iii) The petitioner shall not try to influence the witnesses.
- iv) The petitioner shall not leave the City without prior permission of the Court concerned or the investigating officer.

- v) The petitioner shall surrender his passport before the Court concerned.
- vi) The petitioner – Accused shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

JUSTICE SAMBASIVA RAO NAIDU

Date: 18.05.2023
ns/pld