

HIGH COURT OF JUDICATURE FOR THE THE STATE OF
TELANGANA:HYDERABAD

MAIN CASE No.: CRL.P.No.12202 OF 2023

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
2.	27.02.2024	<u>Dr.GRR,J</u> <u>I.A. No.1 of 2024</u> This petition is filed by the petitioner – accused No.1 seeking to relax the condition imposed by this Court vide order dated 27.12.2023 in Crl.P. No.12202 of 2023. Heard the learned counsel for the petitioner. Learned counsel for the petitioner submitted that while granting regular bail to the petitioner vide order dated 27.12.2023 in the above criminal petition, this Court imposed the following condition No.(ii) in paragraph No.8 of the order, apart from the other conditions: “On such release, the petitioner/A1 shall appear before the concerned Station House Officer, on every Monday and Wednesday between 10.30 A.M. to 1.00 P.M. for a period of eight weeks or until filing of charge sheet, whichever is earlier, for the purpose of investigation”. The petitioner was released from the judicial custody on 30.12.2023 and upon complying with the orders of the court on the very first day itself he faced threat to his life. The petitioner approached the Kachiguda Police Station on 01.01.2024 at 10.30 AM and he was made to wait until 1.00 PM and was asked to return at 4.00 PM. After his return at 4.00 PM, he	Transferred to I/O folder before correction.

		was asked to wait in the police station by the SHO. Around 6.00 PM, the petitioner was attacked by the complainant's henchmen and associates, about 30 persons, in front of the SHO, Kacheguda Police Station, there was a major threat to his well being. Learned counsel further submitted that the petitioner submitted a copy of the bail order dated 27.12.2023, which was procured from the official web-site of the High Court for the State of Telangana to the SHO, but the SHO refused to co-operate with the petitioner and insisted for a certified copy of the order. It was further submitted by the learned counsel for the petitioner that the petitioner filed this application on 03.01.2024 itself to relax said condition and on 06.02.2024 when the matter was taken up, he requested for an adjournment as he need to file an affidavit with regard to the accident, which the petitioner met at his hometown. Learned counsel for the petitioner filed memo dated 20.02.2024 stating that the petitioner appeared before the SHO, Kacheguda, along with his Advocate on 10.01.2024 for fulfilling the bail condition and thereafter, he travelled back to his hometown in Kerala and there he met with an accident due to which his leg was fractured and therefore, he could not return to Hyderabad. He took treatment in Sri Venkateshwara Hospital in Alapuzha District, Kerala from 13.01.2024 onwards. He was incapable of travelling to Hyderabad as his condition was worsening and prayed to relax the said condition.	
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		Learned Additional Public Prosecutor opposed for relaxation of the condition, stating that the petitioner had not complied the conditions imposed by this court while granting the bail and that he appeared on 01.01.2024 only and prayed to dismiss the petition. Perused the record. Considering the reasons stated by the petitioner in the affidavit filed in support of the petition that he was attacked by the de-facto complainant's associates in front of the police station itself on 01.01.2024 and also considering the reasons stated by him in the affidavit filed along with the memo that he met with an accident and was unable to travel to Hyderabad and was taking treatment at Alapuzzha District, Kerala, it is considered fit to relax the said condition. Accordingly, this application is allowed relaxing the condition No.ii in paragraph No.8 of order dated 27.12.2023 in Crl.P. No.12202 of 2023. Dr.GRR,J KTL	
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