

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

CRIMINAL PETITION No.5599 OF 2024

ORDER:

1. This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short “Cr.P.C”) seeking regular bail.
2. The petitioner is accused No.2 in S.C.No.41 of 2022 of P.S.Nacharam, within the jurisdiction of the II Additional Senior Civil Judge, Medchal-Malkajgiri at Kushaiguda, registered for the offence punishable under Section 370(A) of Indian Penal Code and Sections 3, 4 and 5 of PITA Act, 1956.
3. I have heard Sri Kapish Kumar Tiwari, learned counsel representing Sri G.Srinivas, learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State.
4. Learned counsel for the petitioner would submit that the petitioner was produced in this matter on PT

warrant on 27.03.2024 and the allegations, if proved, are punishable under seven years. The prosecution has filed charge sheet and the Court has also framed charges and the matter is pending for trial. Thus no tenable reason for continuance of his custody, hence, prayed for grant of bail.

5. Learned Additional Public Prosecutor opposed bail application and would submit that earlier against the petitioner Non-Bailable Warrant was issued, however, he was produced on PT warrant. Further, submits that the charge sheet was filed long ago and the matter is pending for trial. Hence, prayed for dismissal the petition.

6. The submissions of learned counsel are duly considered and materials placed on record are perused.

7. The petitioner is facing charges for the offences punishable under seven years. Admittedly, the criminal case proceedings are at the stage of trial. The

prosecution has not pointed out any aspect, except securing of the presence of the petitioner for judicial process for continuance of the custody. In this position, considering the present stage of the matter and duration of the judicial custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Accordingly, the petitioner/accused No.2 is directed to be released on bail on executing a self bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, for a like sum each to the satisfaction of the II Additional Senior Civil Judge, Medchal-Malkajgiri District at Kushaiguda. Further, the petitioner/Accused is directed to make himself available for the judicial process as and when required, except with the leave of the Court concerned. The petitioner/accused shall not interfere or intimidate the prosecution witnesses nor shall attempt to tamper with the evidence. The petitioner/accused shall inform the residence and contact particulars in an affidavit to the

concerned Court and also to the investigating officer and update the same from time to time till conclusion of the Sessions case. The petitioner shall not indulge in any illegal activity while on bail. If the petitioner/accused commits any breach of the above conditions, the investigating agency/prosecution shall be at liberty to initiate proceedings for cancellation of bail. Additionally petitioner/Accused shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

9. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, pending if any, shall stand closed.

N.TUKARAMJI, J

Date: 06.06.2024
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Dt.06.06.2024

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