

HONOURABLE SRI JUSTICE D.V.S.S. SOMAYAJULU

CRIMINAL PETITION No.2721 of 2019

ORDER:

This Criminal Petition is filed by the petitioner, under Section 438 of Cr.P.C., seeking a direction to the Station House Officer, Tuni Town Police Station, Tuni, East Godavari District, to release him on bail in the event of his arrest in Crime No.20 of 2017.

This Court has heard the learned counsel for the petitioner and the learned Public Prosecutor.

Learned counsel for the petitioner submits that the name of the petitioner has not been arrayed as an accused in the FIR and even his role has not been proved. It is further submitted that some of the accused in this case have already been enlarged on bail by this Court vide orders dated 26.04.2019, in CrI.P.No.2165 of 2019. Hence, he prayed for Anticipatory Bail to the petitioner.

Having regard to the submissions made by the learned counsel for the petitioner that some of the accused were already enlarged on bail, including the prime accused, the Criminal Petition is allowed directing the petitioner to surrender before the learned Judicial Magistrate of First Class, Tuni, East Godavari District, within 15 days from the date of this order. On such surrender, the petitioner shall be released on bail on his executing a personal bond for a sum of

Rs.20,000/- (Rupees twenty thousand) with two sureties for a like sum each to the satisfaction of the Judicial Magistrate of First Class, Tuni, East Godavari District. Further, on such release, the petitioner shall abide by the conditions mentioned under Section 438(2) Cr.P.C. as under:

- i) The petitioner shall make himself available for interrogation by a police officer as and when required;
- ii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer; and
- iii) The petitioner shall not leave India without the previous permission of the Court.

Consequently, Miscellaneous Petitions pending consideration, if any, in the present case shall stand closed.

D.V.S.S. SOMAYAJULU, J

Date: 11.06.2019.
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