

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
THURSDAY, THE FOURTEENTH DAY OF DECEMBER
TWO THOUSAND AND SEVENTEEN**

:PRESENT:
THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRL. P. NO:12112 of 2017

Between:

Badavath Srinivas @ Sena Oberao @ Srinivas Sena @ Sena S/o. Badavathu Hatya Naik,
aged 28 years, Occ: Fitness Consular, R/o. 8-1-68/B/12, Vinayaknagar, Shaikpet,
Hyderabad, Native of Mewada Village Taluq, Jaipur District, Rajasthan State.

..... Petitioner/Sole Accused

AND

The State of Telangana, through SHO, Raidurgam Police Station, Cyberabad, represented
by its Public Prosecutor, High Court at Hyderabad.

.....Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C., praying that in the
circumstances stated in the petition and the grounds filed herein, the High Court may be
pleased to enlarge the petitioner/sole accused Sri Badavathu Srinivas @ Sena Oberao @
Srinivas Sena @ Sena, S/o. Badavathu Hatya Naik in Crime No. 610 of 2017 registered
at Raidurgam Police Station, in the interest of justice.

Counsel for the Petitioner : SRI P.SHASHI KIRAN

Counsel for the Respondent : ADDL. PUBLIC PROSECUTOR (TS)

The Court made the following ORDER:

**“This Criminal Petition is filed by the petitioner/accused under Section 439
of Cr.P.C. for grant of bail to him in Crime No.610 of 2017 of Raidurgam Police
Station, Cyberabad, registered for the offences punishable under Sections 354, 354-
C I.P.C. and under Section 12 of Protection of Children from Sexual Offences Act,
2012.**

**2. Heard the learned counsel for the petitioner/accused, learned Additional Public
Prosecutor representing the respondent-State and perused the record.**

**3. The learned counsel for the petitioner/accused would submit that the
petitioner/accused is an innocent person. The allegations do not constitute the
offences punishable under Sections 354 and 354-C I.P.C. The investigation is
already completed. A report in this case was lodged with the police with a delay of
10 days and ultimately prayed to allow the application.**

4. On the other hand, the learned Additional Public Prosecutor opposed for grant of bail to the petitioner/accused.

5. The specific allegation against the petitioner/accused is that on 10.10.2017 at 5.00 p.m. when the daughter of the *de facto* complainant by name Mridim Upadhayay, aged 15 years, was coming home along with her brother after playing badminton through a lift, the petitioner/accused entered into the lift and on seeing Mridim Upadhayay, he pushed her, hardly touched the body sides of her and outraged her modesty, and also uttered obscene words.

6. The petitioner/accused was remanded to judicial custody on 24.10.2017. The statement of the victim is already recorded. It appears from the submissions made by the learned counsel for both the sides that the material witnesses are already examined. Having regard to the allegations and material collected so far, this Court is inclined to grant bail to the petitioner/accused under Section 439 Cr.P.C.

7. Accordingly, the petitioner/accused is ordered to be released on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties in a like sum each to the satisfaction of the learned XXIII Metropolitan Magistrate at Rajendra Nagar, Cyberabad. After being released on bail, the petitioner/accused shall report before the Station House Officer, Raidurgam Police Station, Cyberabad, on every Sunday between 08.00 a.m. to 10.00 a.m., till filing of the charge sheet.

6. Accordingly, this Criminal Petition is allowed. As a sequel, miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.”

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The XXIII Metropolitan Magistrate, at Rajendra Nagar, Cyberabad.
2. The Station House Officer, Raidurgam Police Station, Cyberabad.
3. The Superintendent, Cherlapally Central Prison, RR District.
4. Two CCs to Public Prosecutor, (AP), High Court of Judicature, Hyderabad (OUT)
5. one CC to Sri P.Shashi Kiran, Advocate (OPUC)
6. one Spare Copy

HIGH COURT

Ab
Drafted on 15-12-2017

DR.SA,J

DATE: 14-12-2017



ORDER

CRL.P. NO. 12112 OF 2017

BAIL