

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
MONDAY, THE FIFTH DAY OF MARCH, TWO THOUSAND AND EIGHTEEN
: PRESENT :
THE HONOURABLE SMT JUSTICE T. RAJANI**

CRLP .No. 2543 of 2018

Between:-

Kandula Nagarjuna, S/o. L. Yellalah, Aged about 22 years, Occ : Car Driver,
R/o. Sirisangandla Village, Mandal : Peddavoora, Nalgonda District.

..... Petitioner/Accused.

AND

State of Telangana, Represented by Public Prosecutor,
High Court at Hyderabad

.....Respondent/Complainant.

Petition filed under Sections 437 & 439 Cr.P.C. praying that in the
circumstances stated in the Grounds of Criminal Petition, the High Court may be
pleased to enlarge the petitioner on bail in Crime No. 45 of 2018, dated 21-01-2018,
of on the file of P.S. Jubilee Hills, Hyderabad.

The petition coming on for hearing, upon perusing the memorandum of grounds
filed in support thereof and upon hearing the arguments of Sri M.A.K. Mukheed,
Advocate for the Petitioner and of Public Prosecutor(TS) on behalf of Respondent-
State, the Court made the following **ORDER** :-

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.2543 OF 2018

ORDER:

This petition is filed, under Sections 437 and 439 of the Criminal Procedure Code, 1973, seeking to enlarge the petitioner, who is sole accused, on bail in Crime No.45 of 2018, on the file of JubileeHills Police Station, Hyderabad, for the offences punishable under Sections 376, 366 of IPC and Section 5 r/w 6 of POCSO Act.

2. Heard the counsel for the petitioner and the Public Prosecutor appearing for the respondent.

3. The case of the prosecution is that this petitioner and the victim girl ~~are~~ fell in love and the petitioner promised to marry her and had sex with her and later, they both stayed together for two weeks, after which the petitioner was brought to the village. Hence, from the above facts, it appears that there is an element of consent on the part of the victim girl. The counsel submits that he has been in jail, since 14.02.2018 and that the material part of the investigation is completed. The public prosecutor does not refute the said submission.

4. Hence, considering the above, this Court opines that it is a fit case to grant bail to the petitioner.

5. Accordingly, this Criminal Petition is allowed and the petitioner is directed to be enlarged on bail on condition of his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) each with two sureties for a like sum each

T.Rajani

to the satisfaction of the XVII Additional Chief Metropolitan Magistrate, Hyderabad.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

Sd/- K.SAILESHI
ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1.The I Additional Metropolitan Sessions Judge, Hyderabad.
- 2.The XVII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad.
- 3.The Station House Officer, Jubilee Hills Police Station, Hyderabad.
- 4.The Superintendent, Central Prison, Chenchalguda, Hyderabad.
- 5.Two CCs to the Public Prosecutor(TS), High Court at Hyd.(OUT)
- 6.One CC to Sri M.A.K. Mukheed, Advocates(OPUC)
- 7.One spare copy.

TKK

HIGH COURT

TRJ

DT.05-03-2018.

BAIL ORDER

CRL.P.No. 2543 of 2018

RELEASE THE PETITIONER
ON BAIL.

