

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

Criminal Petition No.7097 of 2018

ORDER:

The accused stood charged for the offence under Sections 363 and 420 IPC. Brief case of the prosecution is that prior to 08.10.2017 at Torrugunta Palem village, Jaggaipet Mandal, the accused developed acquaintance with the de-facto complainant by deceitful words and took her to Aryasamaj, Hyderabad and married her on 08.10.2017. Later she returned to the house of parents and gave a report to the police of Enkoor PS, Khammam stating as if she was a minor and accused on deceitful words took her to Aryasamaj at Hyderabad and married her. She made it clear in the complaint she is willing to stay with her parents. Investigation is reported to be pending.

2) Denying the complaint allegations, learned counsel for petitioner sought for bail on the submission that accused and de-facto complainant are majors and they fell in love with each and as their parents did not agree for their marriage, they went to Hyderabad and married in Aryasamaj on 08.10.2017 and apprehending danger in the hands of complainant's parents, they approached to Chillakallu PS, Krishna District and submitted a petition for extending protection and therefore, it is preposterous to ascribe that accused had abducted the girl on deceitful words. Learned counsel produced a copy of SSC certificate of the de-facto complainant showing her date of birth as 14.01.1998 which would *prima facie* indicates that by the date of her marriage i.e. 08.10.2017 she was a major. Learned counsel also

filed the copy of the petition submitted by the complainant and petitioner to the police of Chillakallu PS.

3) Having regard to the facts and circumstances, this Criminal Petition is allowed and the petitioner/accused is directed to surrender before the I Additional Judicial First Class Magistrate, Kothagudem on or before 03.08.2018 and on such surrender, he shall be enlarged on bail on his executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties each for likesum to the satisfaction of the said Court. On release, the petitioner shall appear before the SHO, Enkoor on every Sunday between 1.00 PM and 3.00 PM until charge sheet is filed.

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

Date: 26.07.2018

Note: Office to issue CC by tomorrow.
(b/o)
Murthy

U. DURGA PRASAD RAO, J