

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Criminal Petition No.8236 OF 2018

ORDER:

The petitioner is the sole accused in Crime No.377 of 2015 on the file of the Raidurgam Police Station, Cyberabad. The crime is registered on 29.10.2015 for the offences punishable under Sections 493, 376, 506 r/w 34 IPC and Section 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, “the Act”).

2. The *de facto* complainant filed an implead petition in I.A. No.1 of 2018 today along with her notarised affidavit through advocate Sri B.Sarvotham Reddy and the implead petition is allowed. In the very affidavit vis-à-vis the implead petition, the *de facto* complainant herself being Doctor stated that after giving of the report the family members of the accused and her relatives discussed the matter and came to an understanding and entered the M.O.U. dated 06.11.2015, therein she is not interested in pursuing the matter and she has no objection for grant of anticipatory bail to the petitioner and for that purpose and to give affidavit she filed the implead petition.

3. The contention of the learned counsel for petitioner otherwise is it is outcome of living in relationship voluntarily being majors and no offence under Sections 493 or 376 IPC that attracts so far as the living in relationship is concerned. It is also the contention that there are no ingredients to attract Section 3(2)(v) of the Act for nothing to show

knowingly the accused committed the alleged offence of the victim belongs to the Scheduled Caste as very report is not commented on that.

4. Having regard to the above, this Criminal Petition is disposed of giving liberty to the petitioner to surrender and move for regular bail before the learned Special Judge concerned with notice to the learned Special Public Prosecutor for the learned Special Judge to hear and grant bail with necessary conditions preferably on the same day.

28.08.2018
MVA



Dr. B. SIVA SANKARA RAO, J