

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

TUESDAY, THE TWENTY SIXTH DAY OF MARCH TWO THOUSAND
NINETEEN

:PRESENT:

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER



CRIMINAL PETITION NO: 1571 OF 2019

Between:

Gaddamidi Ganga Raju, son of Devaiah

Petitioner/Accused No.2

AND

The State of Telangana, through S.H.O, P.S Sircilla, Rajanna Sircilla District,
Rep. Public Prosecutor High Court of Judicature Telangana at Hyderabad.

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to enlarge the petitioner on bail in the event of his arrest in Crime No. 101 of 2018 of P.S. Sircilla, Rajanna Sircilla district, on such terms and conditions

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of M RAM MOHAN REDDY Advocate for the Petitioner, THE ADDITIONAL PUBLIC PROSECUTOR (TG) Advocate for the Respondent and the Court made the following.

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.2, for grant of anticipatory bail in Crime No.101 of 2018 of Sircilla Police Station, Rajanna Sircilla District, registered for the offences punishable under Sections 366-A and 324 of IPC, Section 23 of Juvenile Justice Act and Section 11 of Prohibition of Child Marriage Act.

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

3. In the First Information Report, dated 08.04.2018, there is no mention of this petitioner persuading the victim or any other person for marriage. Further, there is no mention of any role of this petitioner in the FIR. The statement of the victim is recorded by the Magistrate, wherein she made allegations against her mother and other accused stating that they forced her to marry the petitioner/A.2. It is brought to the notice of this Court that the petitioner/A.2 is now at Dubai and not in India. He is ready

to come back to comply with the conditions, if any, imposed by this Court while granting bail.

4. Having regard to the averments made in the FIR, the statement of the victim recorded under Section 164 Cr.P.C. and the nature of accusation made against the petitioner/A.2, he can be granted anticipatory bail under Section 438 Cr.P.C. on some conditions.

5. Accordingly, the petitioner/A.2 is directed to surrender before the Station House Officer, Sircilla Police Station, Rajanna Sircilla District, within a period of 45 days from today. On such surrender, the said Station House Officer shall release the petitioner/A.2 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 his satisfaction. On such release, the petitioner/A.2 shall report before the said Station House Officer, on every Tuesday and Sunday between 09:00 A.M. and 11:00 A.M., until further orders. The petitioner/A.2 shall also abide by the conditions stipulated in Section 438(2) Cr.P.C., and shall cooperate with the investigation officer in investigating the case.

6. The Criminal Petition is accordingly, allowed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed

//TRUE COPY//

SD/- K. SAILESHI
ASSISTANT REGISTRAR


For ASSISTANT REGISTRAR

To,

1. The Judicial Magistrate of First class at Vemulawada
2. The S.H.O, P.S Sircilla, Rajanna Sircilla District (by RPAD)
3. One CC to SRI. M RAM MOHAN REDDY Advocate [OPUC]
4. Two CC's to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
5. One spare copy

Avs

HIGH COURT

DRSAJ

DATED:26/03/2019

ORDER

CRLP.No.1571 of 2019

BAIL

