

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.7847 of 2019

ORDER:

The petitioner-accused filed the present application under Sections 437 and 439 of the Code of Criminal Procedure, seeking to grant bail to him in S.C.No.543 of 2017 on the file of the I Special Sessions Judge for Trial of Cases Relating to Atrocities Against Women, Ranga Reddy District at L.B.Nagar, registered for the offences under Sections 376, 417 and 420 IPC.

2. The case of the prosecution is that the de-facto complainant has got acquaintance with the petitioner/accused through her colleague Suresh; that in the month of September, 2015, the petitioner made calls through phone and Whatsapp and induced her that he loved her and would marry her; that on believing his words, she accepted his love; that as the petitioner's parents told her that after the marriage of his elder brother, they would perform their marriage, they lived together in a rented flat for a period of four months; and that when the de-facto complainant insisted the accused for marriage, he refused to marry her, abused her in filthy language, beat her with hands and went to his native place, thereby the accused cheated and sexually exploited her on the false promise of marriage.

3. Learned counsel for the petitioner/accused submits that the petitioner had obtained regular bail in the present case and that on 13.08.2019 when the case was posted for his appearance, the petitioner was called absent as his sister-in-law fell sick, due to

which, the trial Court issued NBW against him and he was arrested by the police on 15.11.2019 and that the absence of the petitioner was neither willful nor deliberate. He further submits that the petitioner undertakes to attend the Court regularly without any default and he is ready to produce sufficient sureties to the satisfaction of the Court.

4. Learned Additional Public Prosecutor vehemently opposed to grant bail to the petitioner/accused and contended that the petitioner has not attended the Court regularly when the case stood posted.

5. Looking into the nature of allegations levelled against the petitioner and the facts and circumstances of the case, without delving into the merits of the case, I am inclined to grant bail to the petitioner, subject to the following terms and conditions:

(i) The petitioner shall be released on bail on his executing a personal bond to the tune of Rs.25,000/- (Rupees Twenty five thousand only) with two sureties for the like amount each to the satisfaction of the learned I Special Sessions Judge for trial of cases relating to Atrocities against Women, Ranga Reddy District at L.B.Nagar.

(ii) The petitioner shall appear before the trial Court on every date of hearing till the conclusion of trial, in default, the bail granted to the petitioner shall automatically stand cancelled and the petitioner shall be taken into custody immediately thereafter.

(iii) The petitioner shall not tamper with the prosecution witnesses and shall co-operate with the investigating agency.

(iv) The petitioner shall not misuse the liberty granted to him.

6. Further, since the aforesaid Sessions Case is of the year 2017, the trial Court is directed to frame charges upon the accused, commence and conclude the trial as expeditiously as possible, preferably within a period of six months from today.

7. With the above direction, the Criminal Petition is disposed of.

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

17th December, 2019
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JUSTICE G. SRI DEVI

