

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY, THE EIGHTEENTH DAY OF FEBRUARY TWO THOUSAND AND
TWENTY**

**:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI**

CRIMINAL PETITION NO: 206 OF 2020

Between:

Macha Naresh Kumar Goud, S/o. Hanumanth Goud.

Petitioner/Accused

AND

1. The State of Telangana, Through SHO, Osmania University Police Station, Represented by its Public Prosecutor, High Court at Hyderabad.
2. Maheswari Erravelli D/o Late E. Sattaiah, Occ: Self Employed, R/o Venkateswara Nagar Colony, HB Colony, Moulali, Malkajgiri, Medchal District.

(As per the court order dt. 29/01/2020 in I.A.No.1/2020, R.2 is impleaded in Cr.P.No.206/2020)

Respondents/Complainants

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances stated in the Criminal Petition, the High Court may be pleased to enlarge the petitioner/ sole accused Sri Macha Naresh Kumar Goud, S/o Hanumanth Goud in FIR No. 432 of 2019 at Osmania University Police Station

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri P SHASHI KIRAN, Advocate for the Petitioner, Addl. PUBLIC PROSECUTOR (TG) for the Respondent No.1, the Court made the following.

ORDER:

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.206 of 2020

ORDER :

Petitioner, who is the accused in Cr.No.432 of 2019 on the file of the S.H.O. Osmania University Police Station, Hyderabad, registered for the offences punishable under Sections 354-A, 354-D IPC and 3 (1)(w)(ii) of SCS & STs (POA) Act, 2015, filed this petition under Sections 437 and 439 Cr.P.C. seeking regular bail.

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

3. The case of the prosecution is that the de facto complainant had a relationship with the petitioner in the past and later she rejected him. On 26.11.2019 when the de facto complainant was at her work place and doing lunch, the petitioner came there and she asked him to leave the place. When she went towards Ramanthapur, the petitioner followed her and stopped her at Ramanthapur signal. Later she had an argument with him and asked him to leave as he was already married. But, he replied that he did not like his wife and he likes her and so he followed her.

4. Learned counsel for the petitioner submits that the allegations made against the petitioner are false and baseless and the de facto complainant lodged the complaint

only to harass the petitioner. He further submits that the petitioner is in custody since 18.12.2019. He further submits that when the marriage of the sister of the petitioner was solemnized on 17.01.2020, the de facto complainant having come to know about the same, has intentionally lodged the present complaint on all false and frivolous grounds to see that the petitioner shall be sent to custody. He further submits that the investigation in this case has already been completed. He further submits that petitioner is a law abiding citizen with permanent abode and also has movable and immovable properties. Hence, he prays to grant bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor representing the State vehemently opposed the bail application by contending that the de facto complainant has already lodged another two cases against the petitioner, one under self same offences and the other under Section 376 IPC and in spite of said two cases, the petitioner continued to outrage the modesty of the de facto complainant, for which, the present complaint has been lodged. He further submits that the petitioner is the habitual offender and continue to commit similar type of offences and hence, the petitioner is not entitled for bail.

6. As seen from the contents of the FIR, the petitioner had gone to the work place of the de facto

complainant and joined her when she was doing lunch. The de facto complainant asked him to leave the place after lunch, but thereafter also, he followed her and had an argument with the de facto complainant. When the petitioner was asked to leave the place as he is already married, the petitioner said to her that he does not like his wife and he likes only the de facto complainant and started harassing her. Further as seen from the FIR and other material, the allegations leveled against the petitioner are punishment with imprisonment of 7 years only. Moreover, the petitioner is in judicial custody since 18.12.2019.

7. Thus, looking into the nature of allegations leveled against the petitioner and also taking into consideration the facts and circumstances of the case, I am inclined to grant bail to the petitioner on certain terms and conditions.

8. Accordingly, the Criminal Petition is allowed and the petitioner/accused shall be released on bail on the following terms and conditions:

- (i) on the petitioner/accused executing a personal bond for Rs.50,000/- (Rupees fifty thousand only) with two sureties for a like sum each to the satisfaction of the IV Addl. Chief Metropolitan Magistrate, Hyderabad;
- (ii) that the petitioner/accused shall not visit or approach the de facto complainant in future and if it found that the petitioner further approached the de facto complainant in future, the liberty which is granted to the petitioner shall automatically stands

cancelled and he shall be taken into custody forthwith;

- (iii) that the petitioner/accused shall not indulge in any similar type of activities, in future;
- (iv) that the petitioner/accused shall not tamper with the prosecution witnesses;
- (v) that the petitioner/accused shall appear before the Station House Officer, Osmania University Police Station, Hyderabad, on every Saturday between 10.00 AM and 12 noon or between 3.00 PM and 5.00 PM till completion of investigation or filing of charge sheet and co-operate with the investigating agency;
- (vi) that the petitioner/accused shall not intimidate or give threat to the complainant or any of his family members during the period of trial;
- (vii) that the petitioner/accused shall appear before the Court concerned personally on each date of hearing till conclusion of trial.

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

SD/- N. PURUSHOTHAM REDDY
 ASSISTANT REGISTRAR
 SECTION OFFICER

To,

1. The Special Judge for Trial of Offences under S.C.s and STs (POA) Act-cum-VI Addl. Metropolitan Sessions Judge, Secunderabad.
2. The IV Addl. Chief Metropolitan Magistrate at Hyderabad.
3. The Station House Officer, Osmania University Police Station.
4. One CC to SRI P SHASHI KIRAN, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR (TG), High Court at Hyderabad.
6. One spare copy

HIGH COURT

GSD,J

DATED:18/02/2020

ORDER

CRLP.No.206 of 2020

BAIL

