

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY

: PRESENT:

THE HON'BLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 1608 OF 2020

Between:

Podeti Manoj S/o Bhaskar Rao

Petitioner/Accused No. 2

AND

The State of Telangana, rep., through SHO, P.S. Khammam Rural, Khammam District, Rep. by
Public Prosecutor, High Court for the State of Telangana at Hyderabad.

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in support of the Criminal Petition, the High Court may be pleased to direct the Station House Officer, P.S. Khammam Rural, Khammam District to enlarge the petitioner/accused No. 2 on bail in the event of his arrest in connection with the Crime No. 208 of 2019 on the file of SHO, PS Khammam Rural, Khammam Distirct.

The petition coming on for hearing, upon perusing the Petition filed in support thereof and upon hearing the arguments of Sri Mummaneni Srinivasa Rao, Advocate for the Petitioner and of Additional Public Prosecutor for the Respondent, the Court made the following.

ORDER:

THE HON'BLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION No.1608 of 2020

ORDER:

This is an application for Anticipatory Bail. The petitioner herein is accused No.2 in Crime No.208 of 2019 of Khammam Rural Police Station, Khammam District, registered for the offences punishable under Section 363 I.P.C and Section 11 read with Section 12 of the Protection of Children from Sexual Offences Act.

2. Heard the learned counsel for the petitioner/accused No.2 and learned Additional Public Prosecutor appearing for the respondent-State.

3. It is the case of the prosecution that the *de facto* complainant's daughter fell in love with accused No.1 and they used to chat over phone. It is further alleged by the prosecution that on 17/18.05.2019 early hours, when the victim girl was in house, accused Nos.1 and 2 came to her house and took her to Khammam bus stand in an auto and from there to Hyderabad. They have joined the victim girl in a ladies hostel. They have also threatened the victim girl. Thus, they have committed the above said offences.

4. It is submitted by the learned counsel for the petitioner/accused No.2 that on 18.05.2019, the petitioner/accused No.2 has appeared for Degree final year Sanskrit examination in Khammam. In proof of the same, he has also filed a copy of the Hall Ticket. Therefore, according to the learned counsel for the petitioner/accused No.2, the

petitioner/accused No.2 did not commit any offence and he did not even accompany the accused No.1, as alleged by the victim girl.

5. The learned Additional Public Prosecutor, on instructions, would submit that the accused No.1 was enlarged on regular bail. He would further submit that the Police are investigating into the contention of the accused No.2 with regard to his appearance for Degree final year Sanskrit examination in Khammam on 18.05.2019. The investigation is pending.

6. In view of the above stated facts, more particularly the fact that the accused No.1 was enlarged on bail, and also the fact that the accused No.2 has appeared for Degree final year Sanskrit examination in Khammam on 18.05.2019, this Court is inclined to grant the anticipatory bail to the petitioner/accused No.2, who is a student, on certain conditions.

7. Accordingly, the Criminal Petition is allowed and the petitioner/accused No.2 is directed to surrender before the Station House Officer, Khammam Rural Police Station, Khammam District, within a period of fifteen (15) days from today. On such surrender, the Station House Officer, Khammam Rural Police Station, Khammam District, shall release the petitioner/accused No.2 on bail on his executing a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer. On such release, the petitioner/accused No.2 shall appear before the Investigating Officer on every Sunday between 10:00 AM to 5:00 PM till completion of investigation or filing of charge sheet, whichever is earlier. Further, the petitioner/accused No.2 shall

abide by the conditions stipulated in Section 438(2) Cr.P.C and cooperate with the Investigating Officer in investigating the case.

The miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

Sd/- LNAGA LAKSHMI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The II Additional Judicial First Class Magistrate, Khammam
2. The Station House Officer, Khammam Rural Police Station, Khammam District
3. Two CC to Public Prosecutor, High Court, Hyderabad(OUT)
4. One CC to Sri Mummaneni Srinivasa Rao, Advocate (OPUC)
5. One spare copy

HIGH COURT

KLJ

DATED: 20/03/2020

ORDER

CRLP.No.1608 of 2020

BAIL

