[3168]

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE ELEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 6504 OF 2020

Between:

Md. Liyakath Ali, S/o Md. Shabbir Ali

Petitioner/Accused

AND

1. The State of Telangana, Rep., by its Public Prosecutor High Court for the State of Telangana at Hyderabad.
2. Zareena Begum, D/o MA.Aziz, aged about 30 years, Occ: Private Teacher, R/o H.No. Shivaji Nagar, Khanapur, Nirmal District.

(R2 is Impleaded as per Court Order dated 11/12/2020 in IA.NO.1 of 2020 in CrlP.No.6504/2020)

Respondents/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to direct the Station House Officer, Khanapur (Nirmal) Police Station, Nirmal District to release the petitioner on bail in the event of his arrest in connection with Crime No. 118/2020 of Khanapur (Nirmal) Police Station, Nirmal District, in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI C SHARAN REDDY Advocate for the Petitioner and the PUBLIC PROSECUTOR for the Respondent No.1, the Court made the following.

ORDER:

THE HON'BLE JUSTICE K.LAKSHMAN

CRIMINAL PETITION No.6504 of 2020

ORDER:

This application is filed seeking anticipatory bail. The petitioner is accused in Crime No.118 of 2019 of Khanapur (Nirmal) Police Station, Nirmal District. The offence alleged against the petitioner is under Section 420 IPC.

Heard learned counsel for the petitioner and learned Public Prosecutor. Perused the record.

The allegations against the petitioner herein are that he has deceived the *de facto* complainant by promising that he would marry her. It is also alleged against the petitioner that he has taken amount from the *de facto* complainant and lured her sexually.

Sri C.Sharan Reddy, learned counsel for the petitioner would submit that the *de facto* complainant is aware that the petitioner is a married man and working as constable. She lived with him for some time. Even in the complaint dated 15.11.2020 itself there is mention that after negotiations with the elders, the petitioner and the *de facto* complainant have stayed together in Sarangapur Police Station, after the petitioner was attached to the said police station.

The above said facts would reveal that the *de facto* complainant knowing fully well that the petitioner is married man stayed with him for some time. It appears that there is no resistance from the *de facto* complainant. There are several aspects have to be investigated into by the Investigating Officer.

Considering the said aspects, this Court is inclined to grant anticipatory bail to the petitioner.

Accordingly, this Criminal Petition is allowed. The petitioner is directed to surrender before the Station House Officer, Khanapur (Nirmal) Police Station, Nirmal District, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner on bail on his executing personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for the like sum each to his satisfaction. The petitioner shall report before the Station House Officer, Khanapur (Nirmal) Police Station, on every Sunday between 10.00 a.m. and 5.00 p.m. till completion of investigation and filing of charge sheet. Further, the petitioner shall abide by the conditions stipulated in Section 438 (2) Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

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

SD/- N. CHANDRASEKHARA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1.
2. The Station House Officer, Khanapur (Nirmal) Police Station, Nirmal District.
3. One CC to SRI. C SHARAN REDDY Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
5. One Spare Copy

HIGH COURT

KLJ

DATED:11/12/2020



ORDER

CRLP.No.6504 of 2020

BAIL