

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TWENTY THIRD DAY OF APRIL TWO THOUSAND AND
TWENTY ONE

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 1220 OF 2021

Between:

Baireni Suresh, S/o Venkati,

Petitioner/Accused No.1

AND

The State of Telangana, through S.H.O., Mandamarri Police Station, Mancherla
District, Rep. by its Public Prosecutor, High Court, Hyderabad.

Respondent/Complainant

Petition under Sections 437 & 439 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 enlarge the petitioner herein on bail in connection with FIR No. 09/2021 on
the file of the Mandamarri Police Station, Mancherla District,

The petition coming on for hearing, upon perusing the Petition and the grounds
filed in support thereof and upon hearing the arguments of SRI N HARI PRASAD
Advocate for the Petitioner and ASSISTANT PUBLIC PROSECUTOR for the
Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1220 of 2021

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A1 seeking to grant bail to him in connection with Cr.No.09 of 2021 on the file of Mandamarri Police Station, Mancherla District, registered for the offences punishable under Sections 417, 420, 376(2)(n), read with Section 109 IPC and under Section 4 of Dowry Prohibition Act.

2. Heard learned counsel appearing for the petitioner/A1, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. It is alleged in the complaint that on 11.01.2021, the de-facto complainant lodged a report stating that she fell in love with the petitioner and both the families have also accepted for their marriage, thereupon, the petitioner has exploited her sexually in her house, later, the petitioner and his family members refused to marry her and they are searching for another girl for his marriage. Based on the said complaint, the police registered the aforesaid case against the accused.

4. Learned counsel for the petitioner/A1 submits that though the de-facto complainant has expressed her love with the petitioner, he did not accept the said proposal and while so, the petitioner has secured employment in Electricity Department, then, she was pressuring him to marry her and having failed to succeed in her attempts, the present complaint is filed falsely against him and his family members. He further submits that petitioner was arrested on 19.01.2021 and that the entire investigation is completed, except filing of the charge sheet. He also submits that the petitioner is a law abiding citizen and ready to abide by any condition imposed by this Court in the event of his enlargement on bail.

5. Learned Assistant Public Prosecutor vehemently opposed the bail application of the petitioner.

6. As seen from the statement of the victim recorded under Section 164 Cr.P.C., she is aged about 27 years. It seems that she is a consenting party to develop sexual relationship with the petitioner, who is in judicial custody since 19.01.2021. Thus, looking into the nature of allegations leveled against the petitioner/A1 and also in view of the peculiar conditions of pandemic COVID-19 prevailing in the country, without delving into the merits of the matter, I am inclined to grant bail to the petitioner/A1.

7. The Criminal Petition is allowed and the petitioner/A1 is directed to be released on bail, subject to the following terms and conditions:

(i) The petitioner/A1 shall be released on bail on his executing a personal bond to the tune of Rs.1,00,000/- (Rupees one lakh only) with two sureties for a like sum each to the satisfaction of the I Additional Judicial First Class Magistrate, Mancherial.

(ii) On such release, the petitioner/A1 shall appear before the Investigating Officer on 3rd Saturday of every month between 10.00 AM and 2.00 PM., till completion of investigation or filing of the charge sheet, whichever is earlier.

(iii) the petitioner/A1 shall appear before the Court concerned personally on each date of hearing till conclusion of trial.

(iv) the petitioner/A1 shall not tamper with the prosecution witnesses;

(vi) the petitioner/A1 shall co-operate with the investigating agency.

(vii) the petitioner/A1 shall not misuse the liberty granted to him.

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

//TRUE COPY//

SD/- R. KARTHIKEYAN
ASSISTANT REGISTRAR

SECTION OFFICER

A-R. /

To,

1. The Spl. Sessions Judge for Fast Tracking the Cases relating to Atrocities against Women-cum-VI Addl. District & Sessions Judge, Adilabad
2. The I Addl. Judicial First Class Magistrate, Mancherial
3. The Superintendent, Subjail, Luxetipet.
4. The Station House Officer, Mandamarri Police Station, Mancherial District.
5. One CC to SRI. N HARI PRASAD Advocate [OPUC]
6. Two CCs to the PUBLIC PROSECUTOR , High Court for the State of Telangana, Hyderabad (OUT)
7. One spare copy

HIGH COURT

GSDJ

DATED: 23.04.2021



ORDER

CRLP. NO: 1220 of 2021

CRIMINAL PETITION IS ALLOWED