

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: 2524 OF 2021

Between:

Peddaragalla Arun Kumar@Chintu, S/o Peddaragalla Rathnaiah.

Petitioner/Accused No.3

AND

State of Telangana, rep., by it's Public Prosecutor, High Court Judicature at
Hyderabad for the State of Telangana

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the Criminal Petition, the High Court may be pleased to grant Anticipatory bail to the petitioner/Accused No.3 in Cr No.167/2020 of Chengomul P.S., Ranga Reddy 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 PUSHADAPU SUBBA RAO, Advocate for the Petitioner, Asst. PUBLIC PROSECUTOR, for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.2524 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A3 seeking to grant anticipatory bail in the event of his arrest in Cr.No.167 of 2020 on the file of Chengomul Police Station, Vikarabad District, registered for the offences punishable under Sections 366-A, 341, 376-A, read with Section 109 IPC and under Section 5(1) read with 6,17 of POSCO Act, 2012.

2. Heard learned counsel for the petitioner/A3, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. It is alleged in the complaint that on 27.12.2020 at 1.00 hours, the de-facto complainant has lodged a report stating that A1 took her daughter, aged about 17 years, to various places and also to his friend's room, wherein A2 and A3 helped A1 in providing other necessities and A1 has committed sexual assault on the victim girl repeatedly and thereafter, he took her to the house of his uncle and informed his parents, then they handed over the victim girl to the police.

4. Learned counsel for the petitioner/A3 would submit that the ingredients of the alleged offences are not attracted against the petitioner as he never committed the alleged offences. He would further submit that there are no overt acts attributed against the petitioner, except the allegation that he has shown a room of his friend-A2 for the shelter of A1 and the victim girl. He would further submit that the entire investigation is completed, except filing of the charge sheet. He also submits that the petitioner is a Student of Intermediate 2nd year and he is ready to furnish sufficient sureties to the satisfaction of this Court and he is ready to abide by any condition that may be imposed by this Court in the event of his enlargement on anticipatory bail.

5. Learned Assistant Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioner.

6. The only allegation against the present petitioner is that he has given shelter to the de-facto complainant and A1 for two days only. Thus, looking into the nature of allegations leveled against the petitioner and other facts and circumstances, without adverting to the merits of the matter, I am inclined to grant anticipatory bail to the petitioner/A3.

7. The Criminal Petition is accordingly allowed and the petitioner/ A3 is granted anticipatory bail subject to the following terms and conditions:

(i) The petitioner/A3 is directed to surrender before the Station House Officer, Chengomul Police Station, Vikarabad District, within a period of 15 days from the date of this order and on such surrender, the said Station House Officer shall release the petitioner/A3 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 sum each to his satisfaction.

(ii) The petitioner/A3 shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Investigating Authority.

(iii) The petitioner/A3 shall not act in any manner which will be prejudicial to fair and expeditious investigation.

(iv) The petitioner/A3 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

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

//TRUE COPY//

SD/- K.AMMAJI
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Metropolitan Sessions Judge, Cyberabad, Ranga Reddy District at L.B. Nagar.
2. The Judicial First Class Magistrate at Pargi of Vikarabad District.
3. The Station House Officer, Chengomul Police Station, Ranga Reddy District.
4. One CC to SRI PUSHADAPU SUBBA RAO Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT)
6. One spare copy

mvj

HIGH COURT

GSDJ

DATED:23/04/2021

ORDER

CRLP.No.2524 of 2021

BAIL

