

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THURSDAY, THE TWENTIETH DAY OF MAY TWO THOUSAND AND TWENTY
ONE

:PRESENT:

**THE HONOURABLE SRI JUSTICE K.LAKSHMAN
CRIMINAL PETITION NO: 3900 OF 2021**

Between:

Amar Shaik, S/o. Taher

Petitioner/Accused

AND

The State of Telangana, Rep by S.H.O, Tandur Town P. S, Vikarabad District, through its
Public Prosecutor, High Court of Telangana.

Respondent/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
grant anticipatory bail to the petitioner in the event of his arrest in the F.I.R. 02 of 2021
dated 02/01/2021 on the file of Tandur Town Police Station, Vikarabad District

The petition/Appeal coming on for hearing, upon perusing the Petition and the
grounds filed in support thereof and upon hearing the arguments of SRI MOHAMMAD
NASEER PASHA Advocate for the Petitioner, THE PUBLIC PROSECUTOR for the
Respondent and the Court made the following.

ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.3900 OF 2021

ORDER:

This is an application for anticipatory bail. The petitioner herein is the sole accused in Cr.No.02 of 2021 pending on the file of Tandur Police Station, Vikarabad District. The offences alleged against the petitioner herein are under Sections 376, 417 and 420 of IPC.

2. Heard Sri Mohammad Naseer Pasha, learned counsel for the petitioner, learned Assistant Public Prosecutor and perused the record.

3. The allegations against the petitioner herein are that he has promised the defacto complainant that he will marry her and on the said promise, he has lured sexually. In the complaint itself, the defacto complainant has specifically mentioned that they are in love with each other since last seven years.

4. Learned counsel for the petitioner by referring to the order dated 30.09.2019 in H.M.O.P.No.01 of 2019 on the file of Senior Civil Judge, Vikarabad, filed by the defacto complainant would submit that she is a married woman, she has obtained a decree of divorce, vide order dated 30.09.2019 and intentionally she has suppressed the said fact in the complaint.

5. Learned Assistant Public Prosecutor would submit that the investigating officer has recorded the statements of three witnesses, so far and the investigation is pending.

6. A perusal of the record would also reveal that the defacto complainant has lodged a complaint with the very same police on 17.12.2020 with the very same allegations and thereafter, she has

withdrawn the said complaint. Thus, prima-facie, it appears, that petitioner herein and the defacto complainant are in living relation and they had consensual sex. There are several factual aspects to be investigated into by the investigating officer during the course of investigation. Considering the said facts, this Court is inclined to grant anticipatory bail to the petitioner herein.

7. Accordingly, the Criminal Petition is allowed and the petitioner is granted anticipatory bail subject to the following conditions:

(i) The petitioner/accused is directed to surrender before the Station House Officer, Tandur Police Station, Vikarabad District, within a period of two (2) weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties to the like sum each to his satisfaction.

(ii) The petitioner/accused shall abide by the other conditions stipulated in Section 438(2) Cr.P.C. and co-operate with the Investigating Officer in investigating the case.

(iii) The petitioner shall appear before the Station House Officer, Tandur Police Station every Sunday between 10.00 AM and 5.00 PM, till completion of investigation and filing of charge sheet.

Miscellaneous petitions pending, if any, shall stand disposed of.

SD/- N. CHANDRASEKHARA RAO
ASSISTANT REGISTRAR

Kil
SECTION OFFICER

//TRUE COPY//

- To,
1. The III Special Sessions Judge for Trial of Cases relating to Atrocities against Women, Ranga Reddy District at Vikarabad
 2. The S.H.O, Tandur Town P. S, Vikarabad District
 3. One CC to SRI. MOHAMMAD NASEER PASHA Advocate [OPUC]
 4. Two CC's to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)

HIGH COURT

KLJ

DATED:20/05/2021

ORDER

CRLP.No.3900 of 2021



BAIL