

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

WEDNESDAY, THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO: 8339 OF 2021

Between:

Thambisetty Uday Bhaskar @ Uday, S/o Ankaiah

Petitioner/Accused

AND

The State of Telangana, rep by its Public Prosecutor, High Court
for the State of Telangana

Respondent/Complainant

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances stated in the grounds filed in the Criminal Petition, the High Court may be pleased to release the petitioner/Accused on bail pending investigation, enquiry and trial in to Crime No.582 of 2021 of P.S. KPHB Police Station, Cyberabad 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 MALLESWARA RAO KALLU Advocate for the Petitioner and Assistant Public Prosecutor for the Sole Respondent, the Court made the following.

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner - Accused in Crime No. 582 of 2021 on the file of KPHB Police Station registered for the offences punishable under Sections 366-A and 376(2)(n) IPC, and Section 5 read with Section 6 of POCSO Act, seeking bail.

2. The case of prosecution is that on 08.07.2021 at 16.00 hours, the complainant lodged a Telugu-written complaint, wherein it is stated that on 03.07.2021 at about 14.30 hours, her younger daughter left the house and did not return. She searched for her, but in vain. The complainant suspects that petitioner is speaking with her daughter on phone No. 7337263993 from his phone numbers 6302740037 and 7207493160 and had taken away her daughter.

3. Learned counsel for petitioner Sri Malleswara Rao Kallu submits that even as per the complaint, both daughter of complainant and petitioner are in love and she went along with petitioner to his native place. He submits that as the complainant is not happy with the said relation, the present complaint was lodged and petitioner was falsely implicated. It is submitted that petitioner has been languishing in jail from 07.09.2021, hence, his case may be considered for grant of bail.

4. On the other hand, learned Assistant Public Prosecutor submits that victim girl is a minor and petitioner induced her and participated in sexual intercourse with her. It is

submitted that statement under Section 164 Cr.P.C. is yet to be recorded and at this stage, petitioner is not entitled for grant of bail.

5. Taking into consideration the fact that petitioner has been languishing in jail from 07.09.2021, this Court deems it appropriate to grant bail to him.

6. The Criminal Petition is therefore, allowed. The petitioner - Accused shall be enlarged on bail in connection with Crime No. 582 of 2021, P.S. KPHB on his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of II AJCJ-cum-X Additional Metropolitan Magistrate at Kukatpally, Cyberabad. However, petitioner shall not interfere with the investigation nor influence the witnesses.

SD/- K. SHYLESHI
Assistant Registrar

//TRUE COPY//

SECTION OFFICER

To,

1. The II Additional Junior Civil Judge-Cum-X Additional Metropolitan Magistrate at Kukatpally, Cyberabad.
2. The Superintendent Central Prison, Cherlapalli, Medchal Malkajgiri District.
3. The Station House Officer, KPHB Police Station, Cyberabad
4. One CC to SRI. MALLESWARA RAO KALLU Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
6. One Spare Copy

HIGH COURT

LKJ

DATED:24/11/2021

ORDER

CRLP.No.8339 of 2021

BAIL



A large, stylized handwritten mark, possibly a signature or a checkmark, drawn in dark ink.