

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 8697 of 2021

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused in Crime No. 898 of 2021 on the file of Mailardevpally Police Station, registered for the offences punishable under Sections 354 and 366 IPC, Section 11 read with Section 12 of POCSO Act, 2012 and Section 3(2)(v) of Scheduled Castes, Scheduled Tribes (Prevention of Atrocities) Act, seeking bail.

2. The case of prosecution is that on 22.09.2021, at about 11.45 hours, complainant's younger daughter – victim girl, aged about 16 years left house by saying that she is going to her friend's house. After ten minutes, complainant went to victim's friend Chintu's house and asked about victim, but the said Chintu replied that victim did not come to their house. Complainant searched for victim girl, but in vain. Later, she found one letter in their house stating that victim left with one Mandeep (Phone No. 84990 83335).

3. Learned counsel for petitioner Sri Mummaneni Srinivasa Rao submits that petitioner was arrested and remanded to judicial custody on 25.09.2021. It is submitted that even as per the remand report, petitioner is studying BBA I year and victim is in Intermediate I year and both of them are in love which is not acceptable to their parents, hence, both of them eloped. Learned counsel submits that basing on the report lodged by the complainant, the present case is foisted against petitioner. He

submits that on a bare reading of the report, no case is made out to attract the alleged offences. Learned counsel further submits that petitioner is languishing in jail from the last 80 days. He filed I.A.No. 1 of 2021 to implead *de facto* complainant as party respondent to this Criminal Petition.

4. On the other hand, learned Assistant Public Prosecutor submits that so far, six witnesses were examined and statement of victim under Section 164 Cr.P.C. is yet to be recorded. He submits that as the offences are under the provisions of Scheduled Castes, Scheduled Tribes (Prevention of Atrocities) Act, they have already informed the victim about filing of this Petition.

5. Having heard learned counsel on either side and perusing the material on record, it appears from the remand report that both petitioner and victim girl, who are students, are in love and they eloped. In that view of the matter, as petitioner is languishing in jail from the last 80 days, this Court deems it appropriate to grant bail to him.

10. The Criminal Petition is therefore, allowed. Petitioner – Accused shall be enlarged on bail in connection with Crime No. 898 of 2021, P.S. Mailardevpally 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 XIV Additional Metropolitan Magistrate, Cyberabad, Ranga Reddy District.

LALITHA KANNEGANTI, J

