

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 9037 of 2021

O R D E R:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused in Crime No. 282 of 2021 on the file of Ibrahimpatnam Police Station registered for the offences punishable under Section 354(D) IPC. and Section 12 of POCSO Act, seeking bail.

2. The case of prosecution is that on 20.10.2021 at 13.30 hours, police received a complaint from the complainant wherein it is stated that petitioner was harassing her daughter i.e. victim frequently to talk with him by following her and creating hurdles to her. While so, on 14.10.2021, at 07.12 hours, petitioner sent an abusive message to the phone number of complainant (9948308595) from his phone number (964074280). It is alleged that earlier also, he sent the same kind of messages through Whats App.

3. Learned counsel for petitioner Sri M.V. Hanumantha Rao submits that both petitioner and complainant are residing in the same locality. It is submitted that complainant had taken Rs.50,000/- from the mother of petitioner for her family needs and promised to return the same in two months. It is also stated that when petitioner requested to return the said amount, complainant bore-grudge against him and implicated in this case. Learned counsel submits that petitioner is pursuing 3rd year B.Tech course and he was arrested and remanded to judicial custody on 21.10.2021 and since then, he

has been languishing in jail. Hence, learned counsel submits that case of petitioner may be considered for grant of bail.

4. On the other hand, learned Assistant Public Prosecutor submits that both complainant and petitioner are neighbours and investigation is pending. He further submits that if petitioner is enlarged on bail, there is every likelihood that he may commit similar offences, threaten witnesses and hamper with the investigation process, as such, he is not entitled for grant of bail.

5. Taking into consideration the fact that petitioner is a student and has been languishing in jail since 21.10.2021, this Court deems it appropriate to grant him bail, however, on certain conditions.

10. The Criminal Petition is therefore, allowed. Petitioner – Accused shall be enlarged on bail in connection with Crime No. 282 of 2021, P.S. Ibrahimpatnam 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 XXV Metropolitan Magistrate, Cyberabad at Ibrahimpatnam, Ranga Reddy District. Petitioner shall appear before the police once in a week i.e. on every Sunday between 10.00 a.m. and 12.00 Noon, till filing of charge sheet.

LALITHA KANNEGANTI, J

09th December 2021

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