

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 8897 of 2021

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused in Crime No. 202 of 2021 on the file of Shaligouraram Police Station, registered for the offences punishable under Sections 366, 376(2)(i)(n) and 343 IPC. and Sections 5 and 6 of POCSO Act, 2012, seeking bail.

2. According to prosecution, on 03.10.2021, at 12.00 hours, a complaint was received from Yelijala Jan stating that his elder daughter viz. Yelijala Jyothi, aged 15 years on 01.01.2021 during night, slept in their house and on the next day morning, at about 3.30 a.m., she was found missing.

3. Learned counsel for petitioner Sri Veera Babu Gandu submits that petitioner is falsely implicated in this case due to political reasons. He submits that in fact, petitioner was arrested on 07.10.2021 and was produced before the Magistrate on 13.10.2021. It is submitted that petitioner moved the Court below seeking regular bail and two bail applications were dismissed. He submits that police also filed custody petition and the Court below granted custody of petitioner for one day. According to learned counsel, statement of victim under Section 164 Cr.P.C. is also recorded on 04.12.2021, hence, case of petitioner may be considered for grant of bail.

4. Learned Assistant Public Prosecutor submits that petitioner is accused in Crime No. 553 of 2017 registered for the

offences under Sections 419 and 420 IPC. As per learned Assistant Public Prosecutor, Section 164 Cr.P.C. statement of the victim is not recorded. However, he submits that custody of petitioner was sought by police and learned Magistrate has given custody for a day. He submits that in view of the criminal antecedents of petitioner, as investigation is still pending, he is not entitled for bail.

5. In this case, police sought for custody of accused and the same was granted and he is languishing in jail from 14.10.2021. In that view of the matter, this Court deems it appropriate to grant bail to petitioner.

6. The Criminal Petition is therefore, allowed. Petitioner – Accused shall be enlarged on bail in connection with Crime No. 202 of 2021 of Shaligouraram Police Station 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 Judicial First Class Magistrate at Nakrekal.

07th December 2021

LALITHA KANNEGANTI, J

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