

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.1429 OF 2022

ORDER:-

This petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner/A.2 in connection with Crime No.140 of 2021 of Ellandakunta Police Station, Karimnaar District, wherein the petitioner is alleged to have committed the offences punishable under Sections 366-A and 376 read with 34 of the Indian Penal Code, 1860 (for short 'IPC'), Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012.

2. A report was lodged by the father of the victim stating that on 09.12.2021, A.1 induced her daughter-victim girl by saying deceitful words in the name of love and marriage and the petitioner and A.1 took away the victim girl on their two wheeler vehicle and the petitioner dropped A.1 and victim girl near Warangal Railway Station. A.1 took away the victim girl to Vijayawada and committed sexual intercourse on the victim by forcibly with an assurance to

marry her in a rented room. Basing on the said report, the present crime is registered.

3. Heard Mr.G.Madhusudhan Reddy, learned counsel for the petitioner, and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submits that initially a complaint was registered as 'girl missing' and later the petitioner was arrayed as A.2. He submits that the petitioner is unconnected with any of the allegations. The only allegation against the petitioner is that he has taken away the victim girl on his motor cycle forcibly. He further submits that even as per the allegations in the remand report, they do not attract the alleged offences against the petitioner. It is stated in the remand report that A.1 and the petitioner forcibly taken away the victim girl on Bajaj motor cycle, being driven by the petitioner, and dropped A.1 and the victim girl near Warangal Railway Station and A.1 and victim waited for some time there at midnight, later they proceeded to Vijayawada by train and reached on 10.12.2021. He submits that at any stretch of imagination, it cannot be said that the petitioner has taken the victim girl forcibly and

without any basis, the petitioner has been implicated in this case. He further submits that the petitioner is languishing in jail from 15.12.2021. Hence, the petitioner's case may be considered for grant of bail.

5. On the other hand, learned Assistant Public Prosecutor submits that investigation is still pending and so far six witnesses were examined. Hence, at this stage, the petitioner is not entitled for bail.

6. Taking into consideration the fact that the petitioner is languishing in jail from 15.12.2021, the only allegation against the petitioner is that he has taken the victim girl forcibly along with A.1 to the Warangal Railway Station and the contents of the remand report saying that from there, A.1 and the victim girl went to Vijayawada by train and spent some time there, this Court deems it appropriate to grant bail to the petitioner/A.2.

7. Accordingly, this Criminal Petition is allowed and the petitioner/A.2 shall be enlarged on bail 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 the II Additional
Judicial First Class Magistrate at Huzurabad.

Miscellaneous applications pending, if any, shall stand closed.

LALITHA KANNEGANTI, J

Date :22.02.2022

mar