

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 1360 of 2022

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused seeking to grant bail to him in Crime No.353 of 2021 on the file of Parigi Police Station, Vikarabad District, registered for the offences punishable under Sections 417, 420 and 376 (2) I.P.C.

2. The case of the prosecution is that on 20.11.2021, the *de facto* complainant-cum-victim approached the Station House Officer, Parigi Police Station and lodged a complaint against the petitioner-accused stating that from the year 2013 she got acquaintance with the petitioner-accused, who belongs to her village and they both fell in love with each other. The parents of the victim as well as the petitioner-accused have also agreed for their marriage and accordingly, on 27.08.2021 their engagement was performed. Thereafter, in the absence of family members of the victim, the petitioner-accused used to visit the house of the victim and participated in the sex with her under the guise of love and marriage. Thereafter, the petitioner-accused started avoiding and refusing to marry her. Hence, the *de facto*-victim lodged a complaint to take necessary action against the petitioner-accused.

3. Learned counsel for the petitioner-Accused would submit that the petitioner-accused has not committed any offence as alleged by the prosecution. The petitioner-accused was arrested on 23.11.2021 and remanded to judicial custody and since then he is in judicial custody. The petitioner-accused and the victim are

love with each other since 2013 and their engagement was also performed on 27.08.2021. Due to some disputes, the petitioner-accused has been implicated in this case and hence, the petitioner-accused may be granted bail.

4. On the other hand, learned Assistant Public Prosecutor would submit that the 164 Cr.P.C. statement of the victim was recorded and 10 witnesses were examined. He further submitted that the respondent-police have filed requisition, but the same is pending as the victim is not appearing. He submitted that the in view of the allegation levelled against the petitioner-accused, he is not entitled for grant of bail.

5. Taking into consideration the fact that petitioner-accused is languishing in jail from the last 55 days, this Court deems it appropriate to grant bail to the petitioner-accused, on certain conditions.

6. The Criminal Petition is allowed. The petitioner –Accused shall be enlarged on bail in connection with Crime No. 353 of 2021 on the file of Parigi Police Station, Vikarabad District, 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 Judicial Magistrate of First Class, Parigi.

LALITHA KANNEGANTI, J

18th January, 2022.

YVL