

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.3318 OF 2022****ORDER:**

This criminal 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/Accused in connection with Crime No.229 of 2022 on the file of Station House Officer, Kusaiguda Police Station, Rachakonda, wherein the petitioner/Accused is alleged to have committed the offences punishable under Sections 376(2)(n), 417, 420, 493 read with Section 109 of Indian Penal Code (IPC).

2. Heard the learned counsel for the petitioner/Accused and the learned Assistant Public Prosecutor for the respondent-State.

Perused the record.

3. The facts of the case are that on 11.03.2022 at 06.00 hours the *de facto* complainant lodged complaint stating that about three years back she migrated to Hyderabad and posted her details in Shaadi.com for matches, in this regard, Accused No.1 approached her and continued to chat with her over phone. In the month of October, 2022 Accused No.1 visited *de facto* complainant's room and made sexual assault over her without her consent by saying he

would marry her and when she got pregnancy, she requested Accused No.1 to reveal their matter in their home, but Accused No.1 dragged the matter and tied a tali to her but later Accused No.1 did not respond. The *de facto* complainant approached Accused Nos.2 and 3 who are the parents of Accused No.1 but they also supported and abetted Accused No.1 for cheating the *de facto* complainant, later Accused No.1 switched off his cell phone, Accused No.4 who is well known to Accused No.1 interacted with her over phone and advised her to forget Accused No.1 and supported Accused No.1 to cheat her, as such, the present crime was registered.

4. Learned counsel for the petitioner submits that in fact it was a relation between two consulting adults and whatever transpired between them both are responsible. Learned counsel further submits that the petitioner/Accused is languishing in jail since 11.03.2022.

5. The investigation is almost complete according to the prosecution, release of petitioner/Accused will not hamper investigation, in the said circumstances, this court is inclined to grant bail to the petitioner/Accused.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused is granted bail subject to the following conditions:

i) The petitioner/Accused shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the XIX Additional Metropolitan Magistrate, Cyberabad at Malkajgiri.

ii) The petitioner/Accused shall not in any manner try to contact or get in touch with the *de facto* complainant or any other witnesses.

iii) The petitioner/Accused shall appear before the Station House Officer, Kusaiguda Police Station, on every Monday and Thursday between 10.00 am and 01.00 PM for a period of two months or until filing of charge sheet, whichever is earlier.

iii) The petitioner/Accused shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 20.04.2022
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