

THE HONBLE DR. JUSTICE D.NAGARJUN

CRIMINAL PETITION No. 3505 of 2022

ORDER:

This Criminal Petition is filed under Sections 437 and 439 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") for enlarging the petitioner-accused on regular bail in S.C.No.232 of 2021 on the file of I Additional District and Sessions Judge, Sangareddy, Medak District registered for the offence punishable under Section 377 of the Indian Penal Code and Section 5 (m) and 6 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the petitioner has submitted that the Police have completed investigation and charge sheet is also filed; the petitioner is innocent and he has not committed any offence; he has got permanent place of abode and hence prayed the Court to allow the application and enlarge the petitioner on bail.

3. On the other hand the learned Assistant Public Prosecutor has submitted that even though the Police have completed investigation and charge sheet is filed, the petitioner being a neighbour to the victim, there is every possibility of

threatening and winning over the witnesses and therefore sought for dismissal of the petition.

4. As seen from the record, the petitioner has taken the four years aged victim girl and committed the offence punishable under Section 377 of the Indian Penal Code and Section 5 (m) and 6 of the Protection of Children from Sexual Offences Act, 2012. The offence alleged against the petitioner is very grave in nature. However, since the Police have completed investigation including the recording statement of the victim girl under Section 164 of the Cr. P.C., it cannot be alleged that the petitioner can influence the victim and other witnesses.

5. Considering the prevailing circumstances and fact that the petitioner-accused is in judicial custody since 25.11.2021 and that the petitioner has got permanent place of abode, this Court is inclined to enlarge the petitioner on bail.

6. In the result, this Criminal Petition is allowed and the petitioner-accused is ordered to be enlarged on bail on his execution of personal bond for Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each for a likesum to the satisfaction of learned I Additional District and Sessions Judge, Sangareddy, Medak District. The petitioner-accused is directed

to appear before the concerned Police Station on every alternate day between 10.00 AM and 12.00 noon until further orders. Further, the petitioner-accused shall not make any attempt to influence the witnesses.

As a sequel, pending miscellaneous applications, if any, shall stand closed.

DR. D.NAGARJUN, J

Date: 05.05.2022
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