

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.4401 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 who is arrayed as Accused in Crime No.48 of 2022 on the file of Mothkur Police Station, Yadadri-Bhuvanagiri District for the offence punishable under Section 376(2)(n) of Indian Penal Code and section 5(1) read with Section 6 of Protection of Children from Sexual Offences Act-2012.

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

3. The facts of the case are that the father of the victim girl filed a complaint stating that victim girl was working as receptionist in Real Estate Company where the Accused is working as car driver. On 06.04.2022 the victim girl was missing and accordingly a complaint was lodged by victim girl's father and registered a case under Section 366 of IPC against unknown accused. Thereafter,

during the course of investigation, the petitioner was apprehended and remanded to judicial custody on 14.04.2022. It is the case of the police that the victim girl was subjected to rape by the petitioner who is a minor girl and accordingly the provision of law was altered to Section 376(2)(n) Indian Penal Code and Section 5(1) read with Section 6 of Protection of Children from Sexual Offences Act, 2012.

4. At the time of hearing, learned counsel for the petitioner has produced the victim girl and on questioning she informs the Court that the complaint lodged by her father was mistakenly done and there was no such alleged act by the petitioner amounting to rape. Learned counsel for the petitioner also filed Aadhar card of the petitioner and the same is identified by Sri.Y.Ravinder Prasad, learned counsel.

5. However, in the peculiar facts and circumstances, since the petitioner is in jail since 14.04.2022, this Court is inclined to grant bail to this petitioner.

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.20,000/- (Rupees Twenty Thousand only) with two sureties for a like sum each to the satisfaction of Principal Judicial First Class Magistrate at Ramannapet.
- ii) The petitioner/Accused shall appear before the concerned Station House Officer on every Sunday between 10.30 AM and 01.00 PM for a period of three (03) 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: 07.06.2022
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