

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.4635 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioner who is arrayed as Accused No.2 in the event of her arrest in Crime No.651 of 2021 on the file of Station House Officer, Shankerpally Police Station, Cyberabad, registered for the offence punishable under Section 376(3) read with Section 109 of Indian Penal Code and Section 5 read with Section 6 of POCSO Act, 2012.

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

3. The case of the prosecution is that victim girl was subjected to rape by Accused No.1. After the rape was committed by Accused No.1, the victim girl ran to her house. The petitioner is step mother of the victim girl and when complained that she was subjected to rape by A1, this petitioner is alleged to have asked the victim girl to keep quite.

4. Even according to the prosecution she was not aware of rape being committed, however, after the rape when complained to her, she threatened the victim girl to not to reveal the said incident to anyone. In this case, Accused No.1 was arrested and released on bail. In the said circumstances, custodial interrogation of this petitioner who had threatened the victim girl would not be necessary, for the said reason the petitioner/Accused No.2 can be granted the relief of anticipatory bail.

5. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.2 shall be enlarged on bail in the event of her arrest subject to the following conditions:

i) The petitioner/Accused No.2 is directed to surrender before the Station House Officer, Shankerpally Police Station, Cyberabad within one week from today, and on such surrender, she shall be enlarged on bail on her executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioner/Accused No.2 shall appear before the concerned Station House Officer on every 1st and 3rd Saturdays between 10.30 AM and 01.00 PM for a period of three (03) months.

iii) The petitioner/Accused No.2 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

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

Date: 17.06.2022
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K.SURENDER, J