

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.4993 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail to the petitioners, who are arrayed as Accused Nos.2 and 3 in the event of their arrest in Crime No.57 of 2022 on the file of Station House Officer, Humayun Nagar Police Station, Hyderabad Commissionerate registered for the offences punishable under Sections 324, 354(A) and 509 read with Section 34 of Indian Penal Code and Sections 8, 11 (iii) and 11(iv) of POCSO Act-2012.

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

3. The facts of the case in brief are that on 10.03.2022 the victim girl went to the Kirana Store of Accused No.1 and asked for peanut bar, at that time, Accused No.1 was watching the porn videos in his mobile phone, with dishonest intention Accused No.1 caught hold the hand of the victim girl and shown the porn videos to her. After

some time, Accused No.1 asked the victim girl to come inside but the victim refused and ran away from there. On knowing the same, when the *de facto* complainant and another questioned the Accused No.1 as to why he was showing porn videos to the victim, at that time petitioners/Accused Nos.2 and 3 who are the brothers of Accused No.1 came to the shop and beat the *de facto* complainant and another with sticks and hands, due to which the *de facto* complainant and another received severe injuries.

4. Learned counsel for the petitioners submits that the police falsely implicated these petitioners in this crime and the allegation under 354(A) of IPC and Sections 8, 11 (iii) and 11(iv) of POCSO Act-2012 is against Accused No.1 only. Therefore, prayed to grant anticipatory bail to these petitioners.

5. In the present facts and circumstances of the case, the petitioners can be granted the relief of Anticipatory Bail.

6. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.2 and 3 shall be enlarged on bail in the event of their arrest subject to the following conditions:

i) The petitioners/Accused Nos.2 and 3 are directed to surrender before the Station House Officer, Humayun Nagar Police Station, Hyderabad within one week from today, and on such surrender, they shall be enlarged on bail on their executing personal bonds for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with two sureties to the like sum each, to its satisfaction.

ii) The petitioners/Accused Nos.2 and 3 shall appear before the investigating authorities as and when required.

iii) The petitioners/Accused Nos.2 and 3 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

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

K.SURENDER, J

Date: 22.06.2022
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