

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 5283 of 2022

ORDER:

This Criminal Petitions is filed under Sections 437 and 439 of the Criminal Procedure Code by the petitioner/Accused in Crime No.67 of 2022 on the file of Maddur (NRPT) Police Station, Narayanpet, registered for the offences punishable under Section 363 of Indian Penal Code.

2. The case of the prosecution is that on 20.05.2022, the mother of the victim girl lodged a complaint stating that her daughter left for college but did not return and though they enquired, they did not get any information. Prior to that the victim girl was reprimanded by the parents for moving closely with the petitioner herein. It is further the case that on 23.05.2022, the victim girl went to Maddur Police Station and gave her statement on the basis of which the Section of law was altered to Section 366, 376(3) of Indian Penal Code, Section 5(1) read with 6 of POCSO Act and Section 9 of Prohibition of Child Marriage Act, though the crime was registered under Section 363 of IPC initially on the basis of the complaint of the mother of the victim.

3. Learned Counsel for the petitioner submits that even according to the Remand Report, the petitioner and the victim girl got married and on their own admission, the victim girl was moving along with the petitioner and after she went to the police station, the victim girl is not staying with her parents and is now in State Home, Mahabubnagar.

4. Learned Assistant Public Prosecutor opposes grant of bail stating that the victim girl is below 18 years.

5. As seen from the events that transpired, the victim girl had gone with the petitioner and their acquaintance is also known to the parents. The petitioner is in jail since 26.05.2022.

6. In the facts and circumstances, the petitioner can be released on 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 I Additional Judicial First Class Magistrate at Kodangal, Narayanpet District, Telangana State.
- ii) The petitioner/Accused shall appear before the concerned S.H.O. on every Monday between 10.30 a.m. and 01.00

p.m. for a period of three months or until filing of the charge sheet whichever is earlier.

- iii) The petitioner/Accused shall not contact the victim girl or her family members in any manner.
- iv) The petitioner/Accused shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

30.06.2022
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K.SURENDER, J

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