

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.5485 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.70 of 2022 on the file of Station House Officer, Gangadhara Police Station, Karimnagar District registered for the offences punishable under Sections 307, 419, 354(D), 506 and 509 of Indian penal Code and Section 66(D), 67, 67(A) of Information Technology Act.

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

3. The facts of the case are that the *de facto* complainant filed a complaint on 10.05.2022 with Gangadhara Police, Karimnagar District stating that the petitioner and herself were classmates studying post graduation in Osmania University from 2019 to 2021. They were active in social media and accordingly the petitioner has

taken some selfies and photos with the *de facto* complainant. Subsequently, the petitioner expressed his feelings for her and upon rejection the petitioner was frustrated and started abusing the petitioner mentally. Further, the petitioner is an alcoholic and weed smoker though coming from good family. He had on several occasions threatened the *de facto* complainant to marry him and due to the said acts of the petitioner, the *de facto* complainant was emotionally and mentally drained. During the course of investigation, the witnesses i.e. victim's mother, father and photographer were all examined along with the panchayatdars and certain material was also recovered during the said investigation.

4. Learned counsel for the petitioner submits that the petitioner is in jail since 24.05.2022 and there are no acts which are narrated either in the remand case diary or in the complaint to attract the offence under Section 307 of IPC and in fact the defacto complainant and petitioner were friends and once their friendship turned sour, the present complaint was lodged.

5. In the said circumstances, the petitioner who is a student is in jail since 24.05.2022 and since the police have recovered incriminating material during the course of investigation, the petitioner can be granted the relief of bail.

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.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of JFCM, Vemulawada, Karimnagar District.

ii) The petitioner/Accused shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of two (02) months.

iii) The petitioner/Accused shall not in any manner contact either the *de facto* complainant or her family members, failing which the prosecution is at liberty to move for cancellation of bail granted to this petitioner/Accused.

iv) 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.

Date: 04.07.2022
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K.SURENDER, J