

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.5570 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 No.1 in Crime No.69 of 2022 on the file of Station House Officer, Mohamadbad Police Station, Mahabubnagar District registered for the offence punishable under Section 354-D of Indian penal Code and Section 11 read with Section 12 of POCSO Act, 2012.

2. Heard learned counsel for the petitioner/Accused No.1 and learned Assistant Public Prosecutor for the respondent-State. Learned counsel for the petitioner has filed an implead petition seeking the *de facto* complainant to be made as party and sent a notice to the *de facto* complainant. According to the track report, the item was received at the said address. Perused the record.

3. The case of the prosecution is that the petitioner has proposed the *de facto* complainant's daughter and he was also following her stating that he intends to marry her. However, when

they have warned this petitioner he failed to heed to their advice and continued following the *de facto* complainant's daughter, for which reason the present complaint is filed.

4. Learned counsel for the petitioner submits that investigation is already completed and charge sheet is also filed and when he tried to move the concerned Court, due to the changes in the jurisdiction of Courts, the bail application was not considered.

5. Learned Assistant Public Prosecutor has not disputed that the charge sheet is already filed after completion of investigation.

6. In the said circumstances, when the allegation against this petitioner is that he had proposed to the *de facto* complainant's daughter and there are no other acts according to the remand report, this petitioner can be granted bail on certain conditions.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.1 is granted bail subject to the following conditions:

i) The petitioner/Accused No.1 shall execute a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties

for a like sum each to the satisfaction of JFCM at Parigi, Vikarabad District.

ii) The petitioner/Accused No.1 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 No.1 shall appear before the concerned Court on every date of hearing.

iv) The petitioner/Accused No.1 shall not in any manner contact either the *de facto* complainant, victim or her family members, failing which the prosecution is at liberty to move for cancellation of bail granted to this petitioner/Accused No.1.

v) The petitioner/Accused No.1 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: 04.07.2022
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