

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6210 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.2 in Crime No.46 of 2022 on the file of Station House Officer, Marriguda Police Station, Nalgonda District registered for the offence punishable under Section 376(2)(n) of Indian Penal Code and Section 5(L) read with Section 6 of Prevention of Children from Sexual Offences (POCSO) Act, 2012.

2. Heard learned counsel for the petitioner/Accused No.2 and the learned Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that Accused No.1 and victim girl were in love and had physical intimacy, for which reason the victim girl became pregnant. The other Accused Nos.3 to 6 got the victim aborted.

4. Learned counsel for the petitioner submits that as seen from the complaint there is no allegation against this petitioner and it is against Accused No.1 and other Accused. However, in the remand report of Accused No.1 it is mentioned that this petitioner also had physical intimacy with the victim girl. He further submits that there is no mention of the name of this petitioner in the complaint and it was subsequently made in the remand report. He further submits that the learned Special Sessions Judge by order dated 08.08.2022 granted bail to Accused No.1.

5. In the said circumstances all the other Accused being released on bail, the name of this petitioner is not reflecting in the complaint and the petitioner who is in jail since 13.05.2022, can be granted the relief of regular bail.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.2 is granted bail subject to the following conditions:

i) The petitioner/Accused No.2 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 Additional Judicial Magistrate of First Class, Devarakonda.

ii) The petitioner/Accused No.2 shall appear before the concerned Station House Officer on every Monday and Thursday between 10.30 AM and 01.00 PM for a period of eight (08) weeks and thereafter shall appear as and when required.

iii) The petitioner/Accused No.2 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: 17.08.2022
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