

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6270 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 PRC No.07 of 2022 in Crime No.23 of 2022 on the file of Judicial First Class Magistrate, Atmakur, Wanaparthy District registered for the offences punishable under Sections 420, 376(2)(n), 313 and 504 read with Section 34 of Indian Penal Code.

2. Heard learned counsel for the petitioner/Accused No.1 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that the petitioner and the victim girl were in love with each other and on 05.04.2021 the petitioner took the victim girl to his room on her birthday and both of them participated in sexual intercourse; meantime the petitioner took naked photos and videos of victim girl in his mobile phone and they were meeting constantly and also participated in sexual

intercourse several times in the rented room. The victim became pregnant and the petitioner gave some tablets for terminating the pregnancy. Later in the month of September, 2021 again the petitioner and victim had physical relation, however, since the petitioner refused to marry and the family of petitioner abused the victim and her family members, the present complaint was lodged.

4. As seen from the investigation, the petitioner and the victim were having physical relation over a period of nearly one year and for the reason of not marrying the victim girl, the present complaint was lodged after an altercation took place between the two families. Since the investigation is complete and charge sheet is already filed, the petitioner/Accused No.1 can be granted the relief of bail subject to conditions.

5. 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.25,000/- (Rupees Twenty Five Thousand only) with two

sureties for a like sum each to the satisfaction of Judicial First Class Magistrate, Atmakur, Wanaparthy District.

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

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

iv) 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: 25.07.2022
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