

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.7325 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/Accused in Crime No.921 of 2022 on the file of Rajendranagar Police Station, Cyberabad Commissionerate, registered for the offences punishable under Sections 366, 376(2)(n) of Indian Penal Code and Section 5(1) read with 6 of POCSO Act, 2012.

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

3. The case of the prosecution is that the petitioner and the victim girl had acquaintance with each other one year prior to the complaint. It is stated in the Remand Report that the petitioner and the victim girl were talking constantly on telephone and the victim had accompanied the petitioner several times to Zoo and Parks after school hours. It is alleged that on the occasion of Ramzan, without consent of the victim the petitioner had sexual intercourse with the victim in the afternoon and went away. Thereafter, on 19.05.2021, both the petitioner and the victim girl visited Patancheru and at Patancheru they rented a room and lived in the said room from 21.05.2022 to 28.05.2022. Thereafter, a case was registered against the petitioner and the petitioner was arrested and remanded to judicial custody.

4. Learned Counsel for the petitioner submits that the relation between the petitioner and the victim girl is consensual and the petitioner who is aged around 21 years can be released on bail.

5. As seen from the Remand Report the victim girl had acquaintance with the petitioner and on several occasions she had accompanied the petitioner to several places and also stayed in the room for a period of one week.

6. In the said circumstances keeping in view the detention of the petitioner from 03.06.2022, the petitioner can be granted the relief of bail subject to the following conditions:

- i) The petitioner/Accused shall execute 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 Special Sessions Judge for trial and disposal of cases under POCSO Act, R.R.District at Hasthinapuram.
- ii) After release the petitioner shall not in any manner try to contact either the victim girl or her parents, failing which, the bail is liable to be cancelled.
- iii) The petitioner/Accused shall appear before the concerned Station House Officer, on every Monday between 10.30 A.M. to 1.30 P.M. for a period of eight weeks, for the purpose of investigation.

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, pending if any, shall stand closed.

Date: 23.08.2022
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.23.08.2022

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