

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7501 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.809 of 2022 on the file of Station House Officer, Medipally Police Station, Rachakonda Commissionerate registered for the offences punishable under Sections 363 and 376(2)(n) Indian Penal Code and Section 5(L) read with Section 6 of POCSO Act, 2012.

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

3. The case of the prosecution against this petitioner is that the petitioner and the victim girl are friends. Said girl went missing on 21.07.2022 and she was found at Torrur Bus Stop, Mahaboobabad District on 23.07.2022 and brought her to Police station. On enquiry the victim girl stated that she came into contact with this petitioner four months prior to the incident and they were in love with each other. Having accepted the love proposal of this

petitioner, the victim girl in all paid an amount of Rs.35,000/- to the account of this petitioner believing that the petitioner would marry her. Later they also had sexual intercourse on the belief that the petitioner would marry her.

4. Learned counsel for the petitioner submits that, the case is one of love affair between the petitioner and the victim girl. For the reason of the parents of the victim girl not consenting to their relation, the victim girl was forced to file the present complaint. He further submits that victim girl was sent for medical examination and also relevant witnesses were examined.

5. Learned Assistant Public Prosecutor opposes the bail application stating that the 164 Cr.P.C. statement of the victim is yet to be recorded.

6. However, as seen from the remand report five material witnesses were examined apart from the scene of offence and confession panchanama being recorded. The victim girl was also examined by a doctor. In the said circumstances, when the major part of the investigation is complete, this petitioner can be granted the relief of regular bail.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused is granted 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 PJ CJ-cum-IV AMM, Medchal-Malkajgiri District, Uppal at L.B.Nagar.
- 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 three (03) months or until filing of charge sheet whichever is earlier.
- iii) The petitioner/Accused shall not in any manner contact either the victim girl or the family members of the victim, 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.

K.SURENDER, J

Date: 30.08.2022
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