

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.8771 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking pre-arrest bail to the petitioner/Accused in the event of his arrest in connection with Crime No.446 of 2022 on the file of Station House Officer, Balanagar Police Station, Cyberabad registered for the offences punishable under Sections 376(2), 417, 420 and 312 of Indian Penal Code and Sections 3(2)(v), 3(i)(1)(r) of SC/ST POA Act, 2015.

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

3. The allegations against the petitioner are that the petitioner is acquainted with the *de facto* complainant since the year 2003 and fell in love. The petitioner promised to marry her and believing the said version, the *de facto* complainant continued the relation with the petitioner since the year 2003. Several instances are narrated during the year 2004, 2005, 2010, 2016, 2017 and 2018.

4. On perusal of the facts of the case, it is apparent that the petitioner was having physical relation with the *de facto* complainant with her consent over a period and for the reason of not marrying her, nearly after a period of twenty years of their acquaintance, the present complaint was lodged.

5. In the said circumstances, the custodial interrogation of this petitioner would not be necessary and all the instances narrated in the complaint can be investigated without the detention of this petitioner. Hence, the petitioner/Accused can be granted the relief of Anticipatory Bail.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused is granted anticipatory bail subject to the following conditions:

i) The petitioner/Accused is directed to surrender before the Station House Officer, Balanagar Police Station, Cyberabad on 26.10.2022, and on such surrender, he shall be enlarged on bail on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioner/Accused shall appear before the Station House Officer, Balanagar Police Station, Cyberabad on everyday for a period of two weeks i.e. from 27.10.2022 to 10.11.2022 at 09.00 AM and thereafter as and when required for the purpose of investigation.

iii) The petitioner/Accused shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, if any pending, shall stand closed.

K.SURENDER,J

Date: 19.10.2022
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