

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.9105 OF 2022****ORDER:**

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure (for short "Cr.P.C") seeking regular bail to the petitioner who is arrayed as Accused in Crime No.188 of 2022 pending on the file of Station House Officer, Kazipet Police Station, Hanamkonda District registered for the offences punishable under Sections 363, 344, 506 and 376(2)(n) of Indian Penal Code.

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

3. The case against the petitioner is that he has eloped with LW2 who is the second daughter of the *de facto* complainant.

4. The facts of the case are that the petitioner was married to *de facto* complainant's first daughter and the petitioner taking advantage of the relation, has taken the victim girl for two days and thereafter returned home.

5. As seen from the case diary, the police found that the victim girl is aged 18 years and 5 months, as such, the provisions of POCSO Act are removed. In the present facts, it appears that the victim girl has proceeded with the *de facto* complainant on her own consent, the prayer for regular bail can be considered.

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

i) The petitioner/Accused is directed to be released on bail on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum, to the satisfaction of First Additional Judicial First Class Magistrate at Hanamkonda.

ii) After release on bail, 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 six (06) weeks and thereafter as and when required for the purpose of investigation.

iii) 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.

Date: 02.11.2022
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K.SURENDER, J