

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.9535 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioners who are arrayed as Accused Nos.1 to 5 in the event of their arrest in Crime No.159 of 2022 on the file of Station House Officer, Thurkapally Police Station, Rachakonda, registered for the offences punishable under Sections 452 and 436 read with Section 34 of Indian Penal Code.

2. Heard learned counsel for petitioners/Accused Nos.1 to 5 and learned Additional Public Prosecutor for respondent-State. Perused the record.

3. The facts of the case are that the *de facto* complainant's brother eloped with the daughter of Accused No.1 herein and married her who was aged 16 years. For the said reason, the case under POCSO Act was registered against the *de facto* complainant's brother. On account of the said differences regarding the girl being taken, these petitioners allegedly set fire to the house of the

de facto complainant, causing damage to the furniture worth of Rs.1 ½ lakh.

4. On perusal of the record, it appears to be the case of differences and fight over 1st petitioner's daughter who has been taken away by the *de facto* complainant's brother. In the said circumstances, these petitioners can be granted the relief of anticipatory bail.

5. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.1 to 5 shall be enlarged on bail in the event of their arrest subject to the following conditions:

i) The petitioners/Accused Nos.1 to 5 are directed to surrender before the Station House Officer, Thurkapally Police Station, Rachakonda within ten (10) days from today, and on such surrender, they shall be enlarged on bail on their executing personal bonds for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties for a like sum each, to its satisfaction.

ii) On such release, the petitioners No.1 and 3 to 5/Accused Nos.1 and 3 to 5 shall appear before the concerned Station House Officer on every Monday and Thursday between 10.30 AM and 01.00

PM for a period of eight (08) weeks and thereafter as and when required for the purpose of investigation. The petitioner No.2/Accused No.2 shall appear before the investigating authorities as and when required for the purpose of investigation.

iii) The petitioners/Accused Nos.1 to 5 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: 07.11.2022
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