

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10373 of 2022

ORDER:

1. Heard Sri J.Dheeraj Reddy, learned counsel for the petitioner as well as the learned Additional Public Prosecutor who is representing the Respondent.

2. Seeking the Court to enlarge the petitioner who is arrayed as accused in Crime No.843 of 2022 of Pet-Basheerabad Police Station, Cyberabad District, on bail, the present Criminal Petition is filed.

3. Making his submission, learned counsel for the petitioner states that the petitioner has not committed any offence whatsoever. Learned counsel also states that the alleged victim girl has attained the age of majority and there is no proof to show that the alleged victim girl is a minor as on the date of the alleged incident. Learned counsel submits that the alleged victim girl has completed her VII standard in the year 2017 itself which makes it abundantly clear that she has attained the age of majority. Learned counsel also states that even as per the version of the prosecution, it is the victim girl who telephoned to the

petitioner/accused and appraised the situation and on that, the petitioner asked her to reach him at Devaryamjal Pond and accordingly, they met and left the place. Learned counsel further states that the petitioner is in judicial custody since more than forty (40) days and hence, he may be enlarged on bail.

4. The submission of the learned Additional Public Prosecutor is that, as per Age Determination Certificate, the victim girl is aged about 15 to 16 years. Learned Additional Public Prosecutor states that eleven (11) witnesses are examined till now. Thus, it is clear that material part of investigation is completed.

5. Thus, having regard to the fact of completion of material part of investigation and the grounds projected by the learned counsel for the petitioner, this Court considers desirable to honour the request of the petitioner, however, conditionally.

6. Resultantly, the Criminal Petition is allowed with the following conditions:-

- (i) The petitioner/Accused shall be enlarged on bail on his executing a personal bond for Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for like-sum each to the satisfaction of the Court concerned. The sureties are directed to submit their two latest passport size photographs at the time of furnishing solvency. One such photograph is ordered to be pasted in the Surety Register against the name of the surety. The other photograph shall be kept in the case record concerned.
- (ii) The petitioner/Accused shall report before the Station House Officer, Pet-Basheerabad Police Station on every Monday between 10.30 AM and 12.00 PM till filing of final report.
- (iii) The petitioner/Accused should not involve in any unlawful activity.
- (iv) The petitioner/Accused should afford all assistance for the proper investigation of the case.
- (v) The petitioner/Accused should not cause the evidence of the offence disappear.
- (vi) The petitioner/Accused should not tamper with the evidence in any manner.

- (vii) The petitioner/Accused should not by way of inducement, threat or promise, dissuade any person who is acquainted with the facts of the case, from disclosing such facts to the Court or to the Police Officer.
- (viii) In case the petitioner/Accused holds a passport, he shall surrender the same if the same is not seized till now.
- (ix) The petitioner/Accused should ensure his presence whenever required by the Court or Police.
- (x) The petitioner/Accused shall file an affidavit before the Court concerned disclosing the following particulars:-
 - (1) Contact number
 - (2) Mail address
 - (3) Residential particulars.
- (xi) The petitioner/Accused shall not leave India without previous permission of the court concerned.

In case, there is any change in the aforementioned details, the petitioner shall intimate the Court concerned by giving a fresh affidavit duly mentioning the change. He shall continue to do so till filing of the final report.

Any deviation of the above conditions would entitle the respondent to take appropriate steps for cancellation of the bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date: 29.11.2022

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