

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.6978 of 2023

O R D E R:

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.) seeking anticipatory bail to the petitioner, who is arrayed as sole accused in the event of his arrest in Crime No.556 of 2023 on the file of Station House Officer, Chandanagar Police Station, Cyberabad. The offences alleged against the petitioner are under Sections 417, 420, 376(2)(n) and 506 of the Indian Penal Code.

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

3. The *de facto* complainant alleged in her complaint that she was acquainted with the petitioner in the year 2017. During the year 2018, there were discussions regarding the marriage between the petitioner and *de facto* complainant. When the *de facto* complainant visited Hyderabad during the said period, the petitioner and *de facto* complainant had sexual intercourse. However, the petitioner did not show any interest in marrying the *de facto* complainant and stated that she had relations with other boys. Thereafter, she went into depression and consulted the psychiatrist and she was under medication.

4. As seen from the complaint, the acquaintance is of the year 2017 and 2018. Except stating that the *de facto* complainant did not know what was happening all these years, nothing specific is narrated. In the said circumstances, when the delay is of nearly five years in lodging the complaint, this Court deems it appropriate to grant the relief of anticipatory bail to petitioner - accused.

5. Accordingly, the Criminal Petition is allowed and petitioner - accused shall be enlarged on bail in the event of his arrest subject to the following conditions:

i) The petitioner - accused is directed to surrender before the Station House Officer, Chandanagar Police Station, Cyberabad on 07.08.2023, and upon 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 the satisfaction of concerned Station House Officer.

ii) On such release, petitioner - accused shall appear before concerned the Station House Officer everyday at 10.00 AM for a period of one month 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) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

Miscellaneous applications, if any pending shall stand closed.

JUSTICE K.SURENDER

Date: 01.08.2023
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