

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**WEDNESDAY ,THE SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 8317 OF 2023

Between:

Dodla Mahipal, S/o Late Ashappa, aged about 27 years, Occ. Vidya Volunteer,
R/o Malreddypally Village, Damargidda Mandal, Narayanpet District.

...Petitioner

AND

The State of Telangana,Rep. by its Public Prosecutor, High Court of Telangana

...Respondent

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to enlarge the petitioner/Accused on regular Bail in connection with the Crime No. 69 of 2023 on the file of the P.S Damargidda.

This Petition coming on for hearing,upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Nambi Krishna, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.8317 OF 2023

ORDER:

This Criminal Petition is filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner to enlarge the petitioner/accused on regular bail in connection with crime No.69 of 2023 on the file of the Damargidda Police station, Narayanpet District for the offences alleged under Section 376 AB of IPC, 5(l), 5(m), 5(f) read with 6 of POCSO Act, 2012.

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

3. The petitioner was arrested on 08.08.2023. The case against the petitioner is that he was a vidya volunteer and he detained the victim girl aged about 9 years in the classroom. The mother of the victim girl having observed that the child did not return, she went to the school and found that this petitioner had laid the child on the bench lifted her dress up removed her underwear and inserted his handfinger into her private part. Victim girl cried with pain. Mother lodged a complaint having witnessed the act of the petitioner.

4. Learned counsel for the petitioner would submit that the victim girl along with her mother were present before the trial court on 21.08.2023 and represented that she had no objection in releasing the petitioner on bail. Further, an affidavit was also given by the mother of the victim on 26.08.2023 stating that she has no objection to grant bail to the petitioner herein.
5. The act of the petitioner is heinous in nature and he is not entitled to bail. The police are directed to investigate into the factum of giving an affidavit and also their appearance before the Court stating no objection to grant bail to the petitioner, whether any undue force or influence was used.
6. The learned Additional Public Prosecutor submits that the mother of the victim girl had narrated the entire incident in her statement before the Magistrate.
7. There are no grounds to grant bail to the petitioner/accused at this stage.
8. Accordingly, the Criminal Petition is dismissed.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Kosigi,
2. The Station House Officer, Damaragidda police Station, Narayanapet.
3. Two CCs to Public Prosecutor High Court for the State of Telangana, Hyderabad, [OUT]
4. One CC to SRI. NAMBI KRISHNA, Advocate [OPUC]
5. Two CD Copies

Pme.

HIGH COURT

DATED: 06/09/2023

ORDER

CRLP.No.8317 of 2023



DISMISSING THE CRL.P.

⑧ pmg.
16/10/23.