

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION Nos.8663 of 2023

ORDER:

This Criminal Petition is filed under Section 437 & 439 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking to enlarge the petitioner/sole accused in S.C.No.302 of 2018 on the file of Special Sessions Judge for trial and disposal of Rape and POCSO Act cases, Ranga Reddy District at Rajendra Nagar, for the offences under Section 364(A), 377, 302, 201 of the Indian Penal Code and Section 5 r/w.6 of the POCSO Act, 2012.

2. Heard both sides.

3. On 14.07.2023, the petitioner failed to appear before the Special Sessions Judge for trial and disposal of Rape and POCSO Act cases, for which reason NBWs were issued and he was remanded to custody on 28.07.2023 after being produced on execution of PT warrants.

4. It is not in dispute that the petitioner/accused was in jail in another case on 14.07.2023.

5. On instructions, the learned Assistant Public Prosecutor would submit that the petitioner was already released on bail in the other case.

6. Keeping in view that the petitioner was on bail pending trial and non appearance of the petitioner on 14.07.2023 is beyond his control, as he was in judicial custody, this Court deems it appropriate to grant regular bail to the petitioner subject to following conditions.

- i. the petitioner/sole accused is directed to be released on bail on his executing personal bond for Rs.10,000/- (Rupees Ten Thousand only) with one surety for a like sum, to the satisfaction of Special Sessions Judge for trial and disposal of Rape and POCSO Act cases, Ranga Reddy District at Rajendra Nagar.
- ii. On such release, the petitioner/sole accused shall appear before the concerned Court, on every date of hearing.
- iii. The petitioner/sole accused shall abide by the other conditions stipulated in Section 437 (3) of Cr.P.C.

Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

K.SURENDER, J

Date :15.09.2023
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Dt.15.09.2023

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