

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.10782 of 2023

ORDER:

1. This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner/Accused in Crime.No.1154 of 2023 on the file of Hayathnagar Police Station, Rachakonda, registered for the offences under Sections 363, 376 (2) (n) of IPC, Section 3 r/w. Section of POCSO Act, 2012 and Section 10 r/w. of Child Marriage Act.

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

3. The case against the petitioner is that the victim girl is pursuing Intermediate I year and is aged around 17 years. On 07.10.2023, she went to college and did not return home. On making enquiries, it was known that the victim girl was in love with this petitioner. Accordingly, on account of the victim girl missing, the complaint was lodged. During the course of investigation, the Police arrested this petitioner. The victim girl narrated that she went with this petitioner and got married at Shivalayam temple and photographs were also taken. Since the

marriage had taken place, the petitioner had participated in sexual intercourse with the victim girl.

4. The case was registered on the ground that the age of the victim girl is less than 17 years.

5. During the course of hearing before the Sessions Court, victim girl and the parents were present and they had no objection for grant of bail on the ground that the petitioner and the victim girl would get married.

6. The victim girl and her parents are present in the Court today and the learned Assistant Public Prosecutor had made enquiries with the victim girl. Since the victim girl is aged more than 17 years and according to her, she had gone on her own, the prayer for regular bail can be considered on the following conditions:

i) The petitioner/Accused shall execute personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, for a like sum each to the satisfaction of Special Sessions Judge For Trial & Disposal of Cases under POCSO Act, Rangareddy District at L.B.Nagar.

ii) The petitioner/Accused after release shall appear before the concerned Station House Officer, on every Monday at 10:00 a.m., for a period of four weeks for the

purpose of investigation and thereafter, as and when required.

iii) The petitioner/Accused shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

7. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 06.11.2023
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K.SURENDER, J

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Dt.06.11.2023

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