

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12274 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.634 of 2023 on the file of Kamareddy Police Station, Kamareddy District, registered for the offences under Sections 417 and 376(2) (n) of IPC.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The case of the *de-facto* complainant is that she was working as Operating Woman in Railway Department and this petitioner also joined in Railway Department as Operating Man. Their friendship turned into love and they also had physical relation over a period of time on account of promise made by the petitioner that he would marry her. However, the petitioner started avoiding the *de-facto* complainant.
4. Learned counsel for the petitioner would submit that the petitioner and the *de-facto* complainant are majors and working

in the Railway Department. There is nothing on record to show that this petitioner at any point of time forced the *de-facto* complainant. Only for the reason of marriage not taking place, false case has been filed.

5. Learned Additional Public Prosecutor opposed the bail application on the ground that it is a case of rape punishable upto 20 years.

6. As seen from the record, both, the petitioner and the *de-facto* complainant are adults. It appears that the relationship between the petitioner and the *de-facto* complainant was from July, 2022.

7. In the background of the case, the relief of regular bail can be considered, subject to following conditions:-

- i) The petitioner/Accused shall execute personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with two sureties, for a like sum each to the satisfaction of the Judicial Magistrate of First Class at Kamareddy.
- 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) In the event of petitioner/Accused shall in any manner try to contact the victim girl or her relatives, the Police are at liberty to seek cancellation of bail granted.

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

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

Date : 15.12.2023
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K.SURENDER, J

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Dt.15.12.2023

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