

**THE HONOURABLE DR.JUSTICE G.RADHA RANI**

**CRIMINAL PETITION No.3850 OF 2024**

**ORDER:**

This Criminal Petition is filed by the petitioner – Accused under Section 438 of Code of Criminal Procedure, 1973 (for short “Cr.P.C”), for grant of anticipatory bail in the event of his arrest in Crime No.92 of 2024 on the file of Karimnagar III Town Police Station, Karimnagar District, registered for the offences punishable under Sections 376(2)(n), 420, 417 of Indian Penal Code, 1860 (for short, ‘IPC’) and Section 5 read with 6 of Protection of Children from Sexual Offences Act, 2012 (for short, ‘the POCSO Act’).

2. The case of the prosecution in brief was that on 06.03.2024 at 23:00 hours, the *de facto* complainant aged about 27 years lodged a report before the police stating that in the year 2008 while she was studying 8<sup>th</sup> Class and the petitioner-accused was studying 10<sup>th</sup> class and when they were minors, in the year 2011, they met physically due to the deceitful words of the petitioner herein and later in the year 2012 also they physically met. Likewise in the year 2018, after becoming majors while they stayed in a rented house at Bhagathnagar, Karimnagar also both of them physically met. When

she asked for marriage, the petitioner-accused stated that after securing the job, he would marry her but on 03.03.2024, he married another girl. Having come to know about it, when she made a phone call, he switched off his phone and was not taking her calls. As such, she lodged a report stating that the accused induced her, made a false promise to marry her and had physical contact with her. Basing on the said report, the above crime was registered.

3. Heard the learned counsel for the petitioner-Accused and the learned Additional Public Prosecutor for the respondent-State and the learned counsel for the respondent No.2 - *de facto* complainant.

4. Learned counsel for the petitioner-accused submitted that the petitioner was an employee. If he was arrested he would be kept under suspension and his career would be affected. The petitioner filed Criminal Petition No.3512 of 2024 seeking to quash the proceedings in the present F.I.R. The Court ordered notice to the *de facto* complainant. The Police were now trying to arrest him and prayed for grant of anticipatory bail to the petitioner-accused.

5. Learned counsel for respondent No.2 opposed grant of anticipatory bail to the petitioner-accused stating that the offences

alleged against the petitioner were grave in nature. The petitioner had induced the *de facto* complainant when she was a minor and physically met her, which would attract the offences registered against him. He also deceived the complainant by marrying another woman. As such, he was not entitled for grant of anticipatory bail and opposed the petition.

6. Learned Additional Public Prosecutor also opposed grant of anticipatory bail to the petitioner-accused stating that the case was at the stage of investigation and the role of the petitioner-accused would need to be ascertained.

7. Perused the record.

8. Considering the contents of the complaint wherein the *de facto* complainant stated about the incidents occurred in the year 2011, 2012 and 2018 but lodged the complaint on 06.03.2024 after a lapse of more than 13 years and it appears that she lodged the complaint as the petitioner failed to marry her and married another woman and criminal proceedings cannot be used as a means of wreaking vengeance, it is considered fit to grant anticipatory bail to the petitioner-accused.

9. Accordingly, the Criminal Petition is allowed directing the petitioner/accused to be released on anticipatory bail subject to the following conditions:

- i) The petitioner-Accused is directed to surrender before the Station House Officer, Karimnagar III Town Police Station, Karimnagar District, within a period of (15) days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner on bail, on his executing a 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 the said Station House Officer.
- ii) The petitioner/Accused shall abide by the conditions stipulated in Section 438(2) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

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**Dr. G.RADHA RANI, J**

**Date:18.04.2024**  
**dgr**