

THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.4154 OF 2024

ORDER:

This Criminal Petition is filed by the petitioner – Accused under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short “Cr.P.C”), to release him on regular bail in Crime No.18 of 2024 on the file of Chennaraopet Police Station, Warangal District registered for the offences under Sections 354, 354-A and 376 read with 511 of IPC and Section 7 read with 8 of Protection of Children from Sexual Offences (POCSO) Act, 2012.

2. The case of the prosecution, in brief, was that on 08.02.2024 at 8:30 hours, the de facto complainant, the victim girl, lodged a report stating that she was studying 9th class and used to go to school by bus, she would have to get down at Bojeruvu village and from there she would need to go to the school by walk. On 08.02.2024 in the morning hours, she got down the bus at Bojeruvu village and was going to school by walk. At about 8:30 hours, one unknown person followed her from her behind, he put his hands on her chest and pushed her into the fields. She fell in the field and the accused tried to participate in sexual intercourse with her. When she raised hue and cries, he closed her mouth and threatened to kill her, if

she screamed loudly. On hearing her hues and cries, one student, who was going to school on that way, observed her and rushed to her. When the student shouted, the accused ran away from that place. On hearing her cries, their villager, who was coming on bike, apprehended the accused. On enquiry, the accused disclosed his identity particulars but twisted the hand of the villager and fled away from there. Basing on the said report, the above crime was registered and the petitioner/accused was arrested on 10.02.2024.

3. Heard the learned Counsel for the petitioner-Accused and the learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner-Accused submitted that this was the second bail application filed by the petitioner. Petitioner was a student of Intermediate 2nd year. He was in custody for the past 76 days and prayed to enlarge the petitioner on bail.

5. Learned Additional Public Prosecutor opposed grant of bail to the petitioner stating that there were no changed circumstances since the dismissal of the earlier bail application on 21.03.2024.

6. Perused the record. Considering that the petitioner-Accused was a student and it was an attempt to commit the rape and

he was in custody since 10.02.2024 and no criminal antecedents were reported against him, it is considered fit to enlarge the petitioner – Accused on bail conditionally.

7. Accordingly, the Criminal Petition is allowed and the petitioner – Accused shall be released on regular bail subject to the following conditions:

- i) The petitioner – Accused shall execute 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 learned I Additional Sessions Judge at Warangal.
- ii) The petitioner – Accused shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.
- iii) The petitioner – Accused shall not contact the victim in any manner. If any adverse reports are received against him either from the victim or from any other third party, the bail granted to him is liable to be cancelled.

Miscellaneous applications, pending if any, shall stand closed.

Dr. G.RADHA RANI, J

Date:25.04.2024
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THE HONOURABLE DR.JUSTICE G.RADHA RANI

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Dated:25.04.2024

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