

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

CRIMINAL PETITION No.5527 of 2024

ORDER:

This petition is filed under Sections 437 and 439 of the Criminal Procedure Code seeking to release the petitioner, who is the accused, on bail in Crime No.374 of 2024 registered with Punjagutta Police Station for the offences under Sections 376(2)(n) and 417 IPC and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard learned counsel for the petitioner and the learned Assistant Public Prosecutor appearing for respondent No.1-State and perused the record.

3. The *de facto* complainant-victim lodged a complaint on 16.04.2024 stating that she came to Hyderabad for job purpose and worked in BPO Call Centre at Ameerpet as Customer Care Tele Caller. The petitioner/accused got acquainted with the victim in 2021. The accused also worked as a Tele Caller in office

connected to the employer of the victim. Both of them became good friends and regularly used to talk over phone. Later, the victim joined as Admin/Receptionist in Indian International Overseas Company (Vasavi MPM Mall), Ameerpet from January 2022. That after a period of six (6) months, the victim shifted to Vanasthalipuram branch. The victim and accused used to regularly meet and used to go to parks and cinema theatres regularly. The victim got the accused employed in Begumpet branch of her employer. That the accused proposed his love to her but the victim did not accept the same. The victim and accused used to regularly have food together. The accused made the victim believe that he was in love with her and both of them fell in love.

4. It is alleged that the accused used to stay in a room provided by his employer and in the month of May 2022, on two or three occasions, when no one was present, the accused forcibly had physical intercourse with the victim. Later, both the accused and victim took up jobs in Hanu Foreign Language Consultancy Office at Ameerpet. The victim worked there for a period of three (3) months and the accused worked for a period of two (2) months and

they quit the jobs as salary was not paid to them. Subsequently, the victim joined beauty parlour course and the accused took up private job. On 25.03.2023, the accused forcibly took the victim to Sai Residency Hotel, Ameerpet and had sexual intercourse with her. The accused repeated this several times. The victim requested the accused to marry her but the accused dodged the issue on one pretext or the other.

5. The accused was arrested on 18.04.2024 and remanded to the judicial custody. The police have recorded the statements of L.Ws.1 to 9. It is revealed from the remand report that the victim and accused had physical relationship for a long time.

6. Taking into consideration of the fact that the victim had physical relationship with the accused on several occasions and major part of the investigation being completed, this Court is inclined to grant bail to the accused.

7. In view of the above, the Criminal Petition is allowed with the following conditions:

(i) The petitioner-accused shall be enlarged on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the learned Special Judge for Trial of Offences under S.Cs. and STs (POA) Act-cum-VI Additional Metropolitan Sessions Judge, Secunderabad.

(ii) The petitioner-accused shall comply with the conditions stipulated under Section 437(3) of Cr.P.C. and shall appear before the trial Court on all the dates when his presence is required.

Pending Miscellaneous Applications, if any, in this Criminal Petition, shall stand closed.

B. VIJAYSEN REDDY, J

Date: 23.05.2024

KL/YVL