

THE HONOURABLE SRI JUSTICE N. TUKARAMJI**CRIMINAL PETITION No.5608 OF 2024****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/sole Accused in Crime.No.80 of 2024 on the file of Penpahad Police Station, Suryapet District, registered for the offences under Sections 354(D) of Indian Penal Code and Section 11 r/w 12 of POCSO Act, 2012.
2. I have heard Sri Baskula-Athik, learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The allegations against the petitioner are that he had sexually harassed the daughter of the *de facto* complainant/victim by stocking and touching her modesty.

4. Learned counsel for the petitioner would submit that petitioner is innocent and false case has been foisted by the mother of the victim to avoid payment of subscribed private chit amounts. Further the investigation has been completed and the charge sheet is also filed. The petitioner is ready to abide by any condition that may be imposed and he would co-operate with the judicial process. Hence, prayed for grant of bail.

5. Learned Additional Public Prosecutor opposed bail application and submits that there are specific allegations against the petitioner but the investigation is completed and charge sheet was also filed. However, the petitioner is resident of same locality as such, there is chance of influencing the witnesses and intimidating the victim, hence, implored for imposition of condition restraining him, in case of enlarging the petitioner on bail.

6. The submissions of learned counsel are duly considered and materials placed on record are perused.

7. Having regard to the nature and depth of allegations and as the charged offences are punishable under five years and as the investigation is completed, this Court is of the view that the prayer for bail can be favorably considered.

8. Accordingly, the petitioner is directed to be released on bail on executing a self 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 Additional First Class Magistrate, Suryapet. Further, the petitioner/Accused is directed to make himself available for interrogation as and when required by the Police. The petitioner/accused shall not interfere or intimidate the prosecution witnesses nor shall attempt to tamper with the evidence. The petitioner shall inform his residence details and contact particulars to the

investigating officer and update the same from time to time till conclusion of the matter. The petitioner shall not indulge in any illegal activity while on bail. If the petitioner/accused commits any breach of the above conditions, the investigating agency/prosecution shall be at liberty to initiate proceedings for cancellation of bail. Additionally petitioner/Accused shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

9. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, pending if any, shall stand closed.

Date: 06.06.2024
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N.TUKARAMJI, J

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Dt.06.06.2024

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