

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

CRIMINAL PETITION No.5631 of 2024

ORDER:

This petition is filed under Sections 437 and 439 of the Code of Criminal Procedure, 1973 (Cr.P.C.) seeking grant of regular bail.

2. The petitioner is the sole accused in Crime No.70 of 2024 on the file of Bellampalli 1 Town Police Station, Mancherial District within the territorial jurisdiction of Additional District Judge (POSCO) at Mancherial, for the offences under Sections 354A, 354D, 506 of IPC and Section 8 r/w 12 of POCSO Act.

3. I have heard Sri Hassan Hussain Junaidi, learned counsel for the petitioner and Sri S. Sudarshan, learned Additional Public Prosecutor for the Respondent - State.

4. The prosecution case in brief is that petitioner/accused who is working as watchman of Telangana

Minority School, Bellampalli has stocked, misbehaved and sexually harassed the victim girl. Thus, committed offences under Sections 354A, 354D, 506 of IPC and Section 8 r/w 12 of POCSO Act.

5. Learned counsel for the petitioner would submit that the petitioner is physically disabled to the extent of 90%, as such, he committing the alleged offences is implausible and a false case has been foisted against him. That apart, the petitioner is in judicial custody since 22.04.2024 and the police has completed investigation, filed charge sheet and he is ready to cooperate and abide by any conditions that may be imposed by the Court. Hence, prayed for grant of bail.

6. Learned Additional Public Prosecutor opposed bail petition and pleaded that the materials collected by the police are making out involvement of the petitioner in the alleged offences, however, the police has filed charge sheet. Further, pleaded that the petitioner works in the same school of the victim girl.

Hence, stringent condition may be imposed, if the petition is positively considered.

7. I have perused the materials on record.

8. Considering the facts and circumstances of the case and as the investigation is completed and in absence of any other pressing ground for continuance of the petitioner in custody, this Court is inclined to grant bail to the petitioner, however, with certain conditions.

9. Accordingly, the present Criminal Petition is allowed on the following conditions:

- i) The petitioner/accused shall be released on bail, subject to his executing a personal bond for Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the Additional District Judge (POSCO) at Mancherial.
- ii) The petitioner shall communicate his residential address and contact numbers to

the concerned Court and also Station House Officer and changes if any from time to time, till conclusion of the case.

- iii) The petitioner shall make himself available for interrogation and the judicial process as and when required, except for leave of the Court.
- iv) The petitioner shall not influence or intimidate any witnesses or tamper with the evidence of the prosecution.
- v) The petitioner shall not indulge in any illegal activity.
- vi) In case the petitioner commits breach of any of the above conditions, the bail is liable to be cancelled at the instance of the prosecution.

As a sequel, miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

N. TUKARAMJI, J

Date: 06.06.2024

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