

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

CRIMINAL PETITION No.6659 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.

2. The petitioner is sole accused in Crime No.65 of 2024 of P.S; Athmakur (M), Yadadri-Bhongir District, within the territorial jurisdiction of the Judicial First Class Magistrate at Alair.

3. I have heard Sri E. Sreenivasa Reddy, learned counsel for the petitioner and Sri Khaja A. Vizarath Ali, learned Assistant Public Prosecutor for the respondent-State.

4. The case of the prosecution in brief is that the petitioner who is neighbouring land owner had outraged the modesty of the victim by immoral gestures and harassed to fulfill his lust. Subsequently, sexually assaulted and criminally intimidated her.

Thus, the petitioner committed offences punishable under Sections 354(D), 376, 506 of the Indian Penal Code, 1860 and Sections 3(1)(w)(i)(ii), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amended Act, 2015.

5. Learned counsel for the petitioner would submit that the petitioner has been falsely implicated in the case due to the dispute in a loan transaction. The petitioner never involved in any offence much less in the manner as alleged in the police report. Further, the petitioner is aged 72 years and is in judicial remand since 05.06.2024 and he is ready to cooperate with the investigation and abide by any condition that may be imposed. Hence, prayed for grant of bail.

6. Learned Assistant Public Prosecutor opposed bail application, however, submits that the material part of investigation, recording of 164 Cr.P.C statement of victim is complete but rest of the investigation is pending.

7. I have considered the submissions of learned counsel and perused the materials on record.

8. Having heard the learned counsel and considering the aspects of age of the petitioner, the period of judicial remand undergone and the reported stage of investigation, this Court is of the view that the prayer of the petitioner for grant of bail can be accepted.

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 Judicial First Class Magistrate at Alair, Yadadri Bhongir District.
- ii) The petitioner shall communicate his residential address and contact numbers to the concerned Court and also Station House Officer in an affidavit and changes if any

from time to time in an affidavit, 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: 03.07.2024

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