

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

CRIMINAL PETITION No.6799 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.107 of 2024 on the file of the Nalgonda I Town Police Station, Nalgonda District, within the territorial jurisdiction of the Judicial Magistrate of First Class, Nalgonda.
3. I have heard Sri Sanjeeva Reddy Garlapati, learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State.
4. The prosecution case in brief is that the petitioner in the name of love and marriage developed acquaintance with the de facto complainant/victim and later refused to marry her as she belongs to scheduled caste, thus, committed offences punishable under

Sections 376 (2)(n), 417, 420, 504, 506 of Indian Penal Code and Sections 3 (2)(v), 3(1)(r), (s) of SCs/STs (POA) Amendment Act, 2015.

5. Learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in the offence. The allegations are invented for the purpose of the case, so as to get the petitioner to their terms. Further, pleaded that in consensual relation breach of promise to marry does not constitute an offence under Section 376 of IPC. Howsoever, the petitioner is in judicial remand since 11.05.2024 and investigation is completed. As the petitioner is ready to abide by any condition that may be imposed, prayed for grant of bail.

6. Learned Additional Public Prosecutor opposed bail application and would submit that in the investigation seven (07) witnesses were examined and Section 164 Cr.P.C statement of the victim has been recorded.

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

8. Having regard to the period of judicial remand undergone and the stage of investigation reported by the prosecution, this Court is inclined to accept the prayer of the petitioner for grant of bail.

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

- i) The petitioner/accused shall 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 Judicial Magistrate of First Class, Nalgonda.
- ii) The petitioner is directed to make himself available for interrogation as and when required by the Police.
- iii) The petitioner shall not interfere or intimidate the prosecution witnesses nor shall attempt to tamper with the evidence.

- iv) The petitioner shall inform his residence and contact particulars to the investigating officer in an affidavit and update the same from time to time till conclusion of the criminal case.
- v) The petitioner shall not indulge in any illegal activity. If the petitioner commits any breach of the above conditions, the investigating agency/prosecution shall be at liberty to initiate proceedings for cancellation of bail.

Miscellaneous applications, pending if any, shall stand closed.

Date: 05.07.2024
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N.TUKARAMJI, J

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Dt.05.07.2024

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