

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.12887 of 2024

ORDER :

Petitioner/accused No.1 has filed this petition under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail in POCSO SC.No.23 of 2024 on the file of Special Judge for Fast Track Court for Expeditious Disposal of Cases of Rape and Protection of Child From Sexual Offences (POCSO) Act at Medak, registered for the offences under Sections 366, 376D, 506 of Indian Penal Code and section 5(g) read with Section 6 of POCSO Act-2012, Section 3(1) (w) (i) 3 (2) (v) of SC/ST (POA) Amendment Act 2015.

2. Heard Mr.Kolukuri Akhil Reddy, learned counsel for petitioner and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for the State.

3. The case of the prosecution is that the petitioner/accused No.1 along with other accused has committed offence by having sex with the victim girl/daughter of the *de facto* complainant.

4. Learned counsel for petitioner submits that the petitioner/accused No.1 is innocent and has been falsely implicated in the case. He further submits that the entire investigation in the case is completed, except filing of charge sheet and the petitioner/accused No.1 is in judicial custody since 03.05.2024, and hence, prayed to grant bail.

5. The learned Additional Public Prosecutor opposed the application stating that serious allegations are levelled against the petitioner/accused No.1. He further submits that investigation is in progress and if the petitioner/accused No.1 is released on bail at this stage, he may tamper with the evidence, hence, prayed to dismiss the petition.

6. Having heard both sides and perused the material on record, it appears that the petitioner/accused No.1 is in judicial custody since 03.05.2024 and entire investigation is completed

except filing of charge sheet. In the said circumstances, this Court is of the considered view that it is a fit case for grant of bail subject to the following conditions:

- 1. The petitioner/accused No.1 shall be released on bail on his executing a personal bond for Rs.20,000/- each with two sureties for the like sum each to the satisfaction of Special Judge for Fast Track Court for Expeditious Disposal of Cases of Rape and Protection of Child from Sexual Offences (POCSO) Act at Medak.**
- 2. The petitioner/accused No.1 shall not come in contact with the complainant members or her family members while on bail.**
- 3. The petitioner/accused No.1 shall abide by the other conditions stipulated in Section 480 (3) Bharatiya Nagarik Suraksha Sanhitha, 2023.**

Petition is allowed accordingly.

JUVVADI SRIDEVI, J

Date: 30.10.2024

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