

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14425 of 2024

ORAL ORDER:

The present Criminal Petition is filed praying this Court to enlarge the petitioner who is arrayed as accused in Crime No.1173 of 2024 of Vanasthalipuram Police Station, Rachakonda Commissionerate, on bail.

2. The brief facts of the case are that on 09.10.2024, the police received complaint from a mother about her 9th-grade daughter being sexually assaulted by petitioner, a 40-year-old man who had befriended her at her workplace in Hospital, Hyderabad. Petitioner is a former panipuri shop owner, who had been staying with the family for two months and was later employed as a ward boy at the hospital. On 08.10.2024, the petitioner had allegedly raped the victim in her home while her siblings were present, and the said incident was reported to complainant, who immediately lodged a complaint, requesting to take legal action against the petitioner.

3. Heard Sri P. Manoj, learned counsel appearing on behalf of the petitioner, and Sri Syed Yasar Mamoon, learned

Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioner submitted that the parents of the petitioner filed a complaint against the family of the victim alleging that the mother of victim kidnapped petitioner and demanded Rs.5 lakhs but when they lodged complaint, the petitioner was released. He contended that as a counter, the mother of victim filed a false complaint against the petitioner. He assured that the petitioner will not tamper with evidence or witnesses and will not leave India without the permission of the Court. Therefore, while advocating that the allegations leveled against the petitioner are false, and he has been implicated in the case without any evidence, prayed the Court to grant bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner and submitted that as per the averments of the complaint, the petitioner had allegedly committed heinous crime. He contended that the victim is a minor aged about 15 years and that the investigation in the matter is also not yet

concluded. Therefore, he prayed the Court to dismiss the criminal petition.

6. Having regard to the rival submissions made and on going through the material placed on record, it is noted that the petitioner was arrested on 10.10.2024 i.e., almost 60 days from today. It is seen that the material investigation in the matter is completed and the prosecution has already examined 16 witnesses and concluded the same. In view thereof, this Court deems it fit to grant bail to the petitioner, subject to compliance of following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.15,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned VII Additional Metropolitan Magistrate, Hayatnagar.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.

iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 09.12.2024
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