

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14984 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused in Crime No.1247 of 2024 of Meerpet Police Station, Rachakonda, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that in the month of November, 2024, having acquaintance with the victim through social media, the accused tied nuptial thread on her neck and forcibly participated in sexual intercourse with her. Hence, a case was registered vide Crime No.1247 of 2024 before the Meerpet Police, Rachakonda, for the offences punishable under Section 376(3) of the IPC and Section 3 read with 4 of the POCSO Act.

3. Heard Sri L.Harish, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences. He *secondly* submitted that all the material

witnesses were examined, and further detention of the petitioner is unnecessary. He *thirdly* submitted that the petitioner has been in judicial custody since 05.11.2024, causing undue hardship to his family and that the allegations are false and fabricated. He *fourthly* submitted that the petitioner is resident of Maheshwaram Mandal, Ranga Reddy District, with movable and immovable properties, and is willing to furnish sureties as directed. He *lastly* submitted that previously, bail application of the petitioner, *vide* CrI.M.P.No.961 of 2024, was dismissed by the Special Sessions Judge for Trial and Disposal of Cases under POCSO Act, Ranga Reddy District at L.B.Nagar, without valid reasons and 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 stating that the investigation is not yet completed, therefore, granting bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and reviewing the record, since the petitioner/accused is languishing in jail from 05.11.2024 and also material part of

investigation is completed, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the Special Sessions Judge for Trial and Disposal and Cases under POCSO Act, Ranga Reddy District at L.B.Nagar.
- 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.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 19.12.2024
gms

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