

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1931 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.1388 of 2024 of Hayathnagar Police Station, Ranga Reddy District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 26.11.2024, despite clear rejection by the victim girl, accused No.1, with the help of other accused, committed rape on the victim under guise of love. Hence, a case was registered *vide* Crime No.1338 of 2024 before the Hayathnagar Police, Rachakonda, for the offences punishable under Sections 137(2), 74, 78 read with 3(5) of the BNS and Sections 11, 12 of the POCSO Act.

3. Heard Sri P.Manoj, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner *firstly* submitted that the victim is not a minor and she is aged about 18 years as on the date of the alleged incident. 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 07.01.2025, causing undue hardship to his family. He *fourthly* submitted that the petitioner is resident of Nagarkurnool 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* Crl.M.P.No.78 of 2025 was dismissed by the Special Sessions Judge for Trial and Disposal of Cases under POCSO Act, Ranga Reddy District at L.B.Nagar, on 03.02.2025, 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 is languishing in jail from 07.01.2025 and also material part of the 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 II Additional Metropolitan Magistrate at Hayathnagar.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, 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: 21.02.2025
gms

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