

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.11967 of 2025

ORDER:

The present Criminal Petition is filed praying this Court to enlarge the petitioner on bail, who is arrayed as accused in SC.POCSO.No.109 of 2025 on the file of I Additional District and Sessions Judge, Sangareddy District, registered for the offences punishable under Sections 64(2)(f) of BNS and 5(1) read with 6 of POCSO Act.

2. The brief facts of the case of prosecution is that the petitioner/accused being father of victim minor girl had forcibly participated in sexual intercourse with her by threatening her for multiple times since last two years.

3. Heard Mohd Qutubuddin, learned counsel for petitioner, and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for respondent – State.

4. Learned counsel for petitioner submitted that the petitioner is innocent and falsely implicated in the case. He further submitted that the de facto complainant lodged complaint before the police

alleging that her husband who is petitioner used to beat her in drunken condition and thereafter she proceeded with leveling false allegations against the petitioner for the offences as alleged. He contended that victim herself admitted that no such incident as alleged had occurred and a false case was registered against the petitioner and divulged that police had taken her signatures over blank papers and created false story. Therefore, he prayed this 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 petitioner stating that the allegations leveled against the petitioner are of serious nature. Therefore, prayed the Court to dismiss the criminal petition.

6. Having regard to rival submissions made and on going through the material placed on record, it is noted that the allegations leveled against the petitioner are of heinous nature, but as seen from record, the victim and de facto complainant admitted that no such incident occurred and it was a false case against the petitioner and that at the instance of police, their statements were given before the Magistrate. Therefore, this Court deems it fit to

grant bail to the petitioner, subject to following the below conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- each (Rupees Twenty Five Thousand only) with two sureties for a like sum each, to the satisfaction of I Additional District and Sessions Judge, Sangareddy District.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Wednesday 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 480(3) of the BNSS, earlier known as 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: 24.09.2025
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