THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16130 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused in Crime No.346 of 2024 on the file of Shivampet Police Station, Medak District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that despite cautioning the accused by the father of the victim girl, the accused continued to harass the victim girl in the name of love and threatened her with dire consequences by forcing her to marry him. Hence, a case was registered vide Crime No.346 of 2024 before the Shivampet Police, Medak, for the offences punishable under Sections 78, 351(2) of the BNS and Section 12 of POCSO Act.

3. Heard Sri Akkam Eshwar, 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 though there is no corroborative evidence, the petitioner was implicated in the case with false and fabricated allegations. He *thirdly* submitted that all

the material witnesses were examined, and further detention of the petitioner is unnecessary. He *fourthly* submitted that the petitioner has been in judicial custody since 24.12.2024, causing undue hardship to his family. He *lastly* submitted that the petitioner is willing to furnish sureties as directed 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, it is apparent that the punishment prescribed for the offences alleged against the petitioner is less than seven (07) years. Hence, since the petitioner is languishing in jail from 24.12.2024 and 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 Judicial First Class Magistrate at Narsapur.
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: 03.01.2025
gms

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