

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16162 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused in Crime No.512 of 2024 of Allapur Police Station, Cyberabad Commissionerate, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that the accused fulfilled his sexual desires using the victim by promising to perform marriage with her. However, when the victim asked to marry her, the accused refused to marry her. Hence, a case was registered vide Crime No.512 of 2024 before the Allapur Police, Cyberabad Commissionerate, for the offences punishable under Sections 376(2)(n), 417, 420 and 506 of the IPC.

3. Heard Sri Talak Madiha, 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 consensual relationship between the accused and the victim in February, 2024, 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 18.12.2024, causing undue hardship to his family. He *lastly* submitted that the petitioner is resident of Hyderabad, with movable and immovable properties, and 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 petitioner and the victim are in consensual relationship in February, 2024. Hence, since the petitioner is languishing in jail from 18.12.2024 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 I
Additional Junior Civil Judge-Cum-XII
Additional Metropolitan Magistrate,
Medchal Malkajgiri District at
Kukatpally.

- 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: 06.01.2025
gms

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