

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16243 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.656 of 2024 of Sircilla Police Station, Rajanna Sircilla District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that despite clear rejection by the victim, the accused forcefully exploited the victim physically. When the parents of the victim questioned about the same, the accused threatened the victim and her parents with dire consequences by showing the morphed images of the victim. Hence, a case was registered vide Crime No.656 of 2024 before the Sircilla Police, Rajanna Sircilla District, for the offences punishable under Sections 376(2)(n), 504 and 506 read with 34 of the IPC.

3. Heard Sri P.Sree Ramya, 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 19.11.2024, causing undue hardship to his family. He *fifthly* submitted that the petitioner is resident of Sircilla, Rajanna Sircilla 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.258 of 2024, was dismissed by the I Additional Sessions Judge at Rajanna Sircilla, on 20.12.2024, 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 19.11.2024 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 Principal Judicial Magistrate of First Class at Sircilla.
- 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: 07.01.2025
gms

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