

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**THURSDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE**



:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 969 OF 2023

Between:

Madireddy Subbaramaiah, Son of Suryanarayana, aged about 26 years,
Resident of Door no. 14-162/A, SVS Nagar, Mylavaram, NTR District,
Andhra Pradesh.

...Petitioner/Accused

AND

The State of Andhra Pradesh, Represented By SHO Inspector of Police,
Ibrahimpattam Police Station, NTR District Vijayawada City Through
Public Prosecutor, High Court of Andhra Pradesh, Amaravathi.

...Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C, praying that in the
circumstances stated in the memorandum of grounds filed in Criminal Petition,
the High Court may be pleased to enlarge the petitioner/Accused on Bail in
connection with Crime No.1130/2022 of Ibrahimpattam Police Station,
Vijayawada, in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the
memorandum of grounds filed in support thereof and upon hearing the
arguments of Sri Babu Rao Pandiri, Advocate for the Petitioner and of Public
Prosecutor for the Respondent, the Court made the following;

ORDER:

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.969 of 2023

Order:

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed by the petitioner/Accused No.1, seeking regular bail, in Crime No.1130 of 2022 of Ibrahimpatnam Police Station, Vijayawada City.

2) A case has been registered against the petitioner and others for the offences punishable under Sections 376(2)(n), 323 r/w 34 IPC.

3) Brief facts of the case are that, the defacto complainant/victim gave report stating that about 3 years back while she was studying Intermediate, she got acquainted with A1 and their intimacy turned into love. While so, on 28.09.2022, A1 invited her to his house at SVS Colony on the eve of his birthday and induced her to fulfill his lust, for which, the defacto complainant denied, however A1 forced her and had sexual intercourse by saying deceptive words on the pretext of marriage. Again on 24.10.2022, on the Diwali festival day also, he forcibly made her to participate in sexual intercourse. Subsequently, when she demanded for marriage, A1 refused for

the same and avoided her. On 21.12.2022 night, when she along with her mother went to the house of A1 and asked about marriage, A1 beat the complainant and her mother with hands and legs indiscriminately and necked them out of the house.

4) Heard. Perused the record.

5) The petitioner was arrested on 26.12.2022 and since then he is in judicial custody. The factual aspects culled out of the case go to show that, the petitioner and the defacto-complainant fell in love and had gone physically on number of occasions consensually. It is reported by the learned Assistant Public Prosecutor that material witnesses are examined and major portion of the investigation is completed.

6) In view of the facts and circumstances of the case, since major portion of the investigation is completed, this Court is inclined to grant bail to the petitioner/A1, on the following conditions.

(i) The petitioner/A1 shall be released on executing a personal bond for Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the learned IV Additional Metropolitan Magistrate Court-cum-RCC Court at Vijayawada.

(ii) On release, the petitioner shall appear before the Station House Officer concerned, once in a week i.e., on every Sunday between 10.00 a.m. and 05.00 p.m., till filing of the charge sheet.

(iii) The petitioner shall not directly or indirectly contact or threaten the witnesses under any circumstances and any such attempt shall be construed as an attempt of influencing the witnesses and shall not tamper evidence and shall co-operate with the investigation.

It is made clear that the petitioner shall scrupulously comply with the above conditions and breach of any of the above conditions will be viewed seriously and prosecution is at liberty to move an application for cancellation of the bail.

7) Accordingly, the Criminal Petition is **allowed**.

Sd/- G. SRINIVAS REDDY
ASSISTANT REGISTRAR

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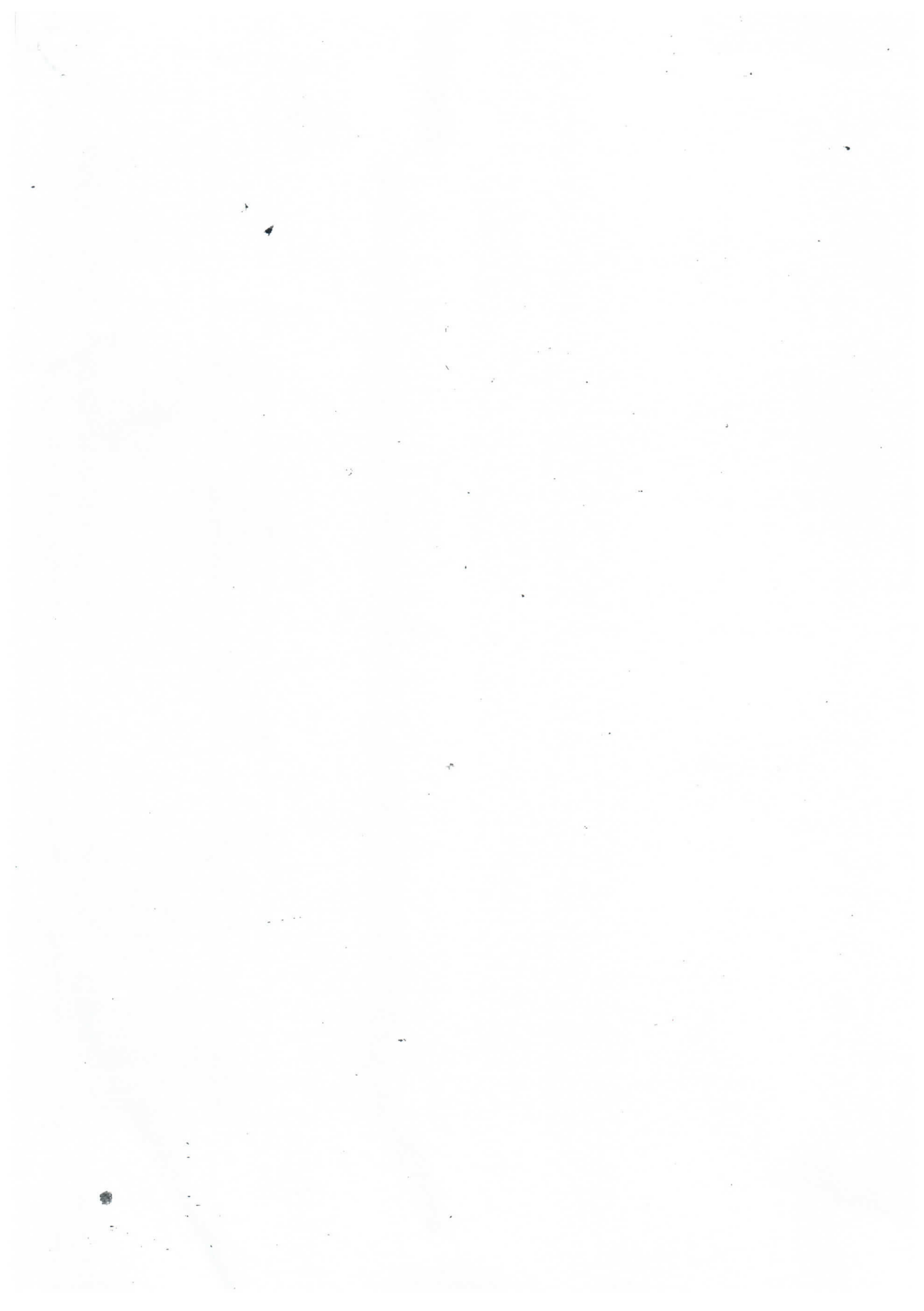
For

SECTION OFFICER

To,

1. The IV Addl. Metropolitan Magistrate Court-cum-RCC Court at Vijayawada.
2. The Superintendent, District Jail, Vijayawada, Krishna District.
3. The Inspector Of Police, Ibrahimpatnam Police Station, NTR District Vijayawada City.
4. One CC to Sri. Babu Rao Pandiri, Advocate [OPUC]
5. Two CC to Public Prosecutor, High Court of AP [OUT]
6. One spare copy.

MSB



HIGH COURT

SRK,J

DATED:16/02/2023

BAIL ORDER

CRLP.No.969 of 2023

ALLOWED

