

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No. 1331 of 2015

ORDER :

The petitioner, who is the sole accused in Crime No.27 of 2015 of Palvancha Town Police Station, Khammam District, filed the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with the above crime registered for the offences punishable under Sections 354(a) & (d) IPC.

The case of the prosecution is that on 29.01.2015 the informant lodged a report stating that he performed his daughter's marriage with one Rajesh of Ramagundam on 25.01.2015. It is stated that his daughter told that the petitioner was harassing her over phone by using obscene language and threatening to take blue films and put them in internet. Unable to bear the harassment, on 29.01.2015 at about 4.00 p.m. the informant's daughter attempted to commit suicide. Basing on these allegations, the above report came to be lodged.

The learned counsel for the petitioner mainly submits that even accepting the allegations made in the report to be true, no offence is made out against the petitioner. According to him, if really the petitioner had telephoned to the victim, the informant or the victim should have furnished the details of the number and the date of the call. Since no material against the petitioner is placed before the police till date, he submits that the petitioner deserves grant of anticipatory bail.

The learned Additional Public Prosecutor opposed the

application contending that in a case of this nature the question of granting anticipatory bail does not arise. According to him, the statements of the victim and her father amply establish the involvement of the petitioner.

A perusal of the statement of the victim clearly disclose the telephone number from which the petitioner used to telephone to her. Basing on the information furnished by the victim, her father lodged the present report giving details. Therefore, it cannot be said that there is no material connecting the petitioner with the crime. Apart from that, unable to bear the harassment, the victim is alleged to have attempted to commit suicide on 29.01.2015. Since the allegations made in the report prima facie constitute offences punishable under Sections 354(a) & (d) IPC, which are grave in nature, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the Criminal Petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

2nd March, 2015
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