

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.2256 of 2015

ORDER:

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The petitioner who is A-5 filed the present application under Section 437 and 439 of the Code of the Criminal Procedure (Cr.P.C.), seeking enlargement on bail in S.C.No.60 of 2014 on the file of Special Judge for Trial of Cases for Children and Sexual Offences Act-cum-III Additional Metropolitan Sessions Judge, Vijayawada, Krishna District. A charge sheet came to be filed against the petitioner and four others for the offences punishable under Sections 384, 354-(A) 1 (ii), 354 (D), (1), 506, 509 r/w. 34 and 376 IPC and Sections 4,6 of POCSO Act, 2012.

The allegations in the charge sheet would disclose that all the accused by deceitful words and on false promise of marriage, sexually exploited the victims i.e. V-3 to V-5, V-7, V-8, V-9, V-10 and extorted money from them. Further the case of the prosecution insofar as the petitioner is concerned is that he is alleged to have sexually assaulted LW.1 along with A-1, A-2 and A-4 by putting her in fear of circulation of her nude photos and videos and by putting her in fear of death. Basing on these allegations, the above case came to be registered.

Learned counsel for the petitioner submits that the petitioner was arrested on 23-08-2014 and as the investigation is completed, seeks bail. He submits though no incident took place but with a view to create incriminating material against him, the statement of the victim said to have been introduced. He submits that the entire allegations made against the petitioner are all false and invented for the purpose of this case.

On the other hand, learned Public Prosecutor opposed the application contending that the allegations made against the petitioner are quite serious and grave in nature and as such, the petitioner does not deserve any relief.

A perusal of the averments in the charge sheet, more particularly, the statement of V.12 i.e. victim No.12 discloses that the petitioner along with others had sexual intercourse with her one after the other by putting her under fear that the photos and videos taken would be put under circulation. It is true that the police have completed the investigation and filed charge sheet. But that by itself cannot always

be a ground to grant bail. It all depends on facts and circumstances of the case.

A perusal of the averments in the charge sheet show that as many as (12) innocent girls have been harassed by the gang of accused initially seducing them to marry and thereafter, blackmailing them by stating that they will put the photographs and sexual videos on net. Earlier A-4 filed CrI.P.No.15312 of 2014 before this Court and the same was dismissed. Since the allegations made in the report against the petitioner are grave and serious in nature, I am not inclined to grant bail to the petitioner though investigation is over and charge sheet is filed.

Accordingly, the criminal petition is dismissed. As a sequel thereto, Miscellaneous Petitions, if any, pending shall stand closed.

JUSTICE C. PRAVEEN KUMAR

01-04-2015

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