

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.963 of 2015

ORDER:

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The present application is filed under Section 438 of the Code of the Criminal Procedure (Cr.P.C.), seeking release in the event of the arrest of the petitioner in connection with Crime No.167 of 2014 of Mogalpura Police Station, Hyderabad District, registered for an offence punishable under Section 365 of IPC.

Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the respondent-State.

The father of the victim lodged a report on 21.10.2014 stating that on 20.10.2014, at about 10.00 a.m., his second daughter by name B.Kajal, aged about 20 years, went to Kirana shop and did not return home. His enquiries with neighbours and relatives went in vain. Hence, lodged the present report.

Basing on a report given by the father, the I.O. visited the scene of offence and examined the informant, his blood relatives and recorded their statements. The information about missing of a girl was intimated to the main control room, which was flashed all over the twin cities. But, till date, the victim is not traced.

Learned counsel for the petitioner filed an affidavit of the informant, wherein, she stated that on her free will and consent and without any force from anybody, she married the petitioner, as they both loved each other. He placed on record certain documents and photo showing proof of marriage.

Learned Public Prosecutor on instructions submits that if really the petitioner married the victim, nothing prevented him from approaching the police who will help him in solving the issue.

Learned counsel for the petitioner submits that the petitioner is ready to surrender before the Court.

Having regard to the said circumstances and as the whereabouts of the victim are not known, I am not inclined to grant anticipatory bail to the petitioner.

However, the petitioner is at liberty to surrender before the concerned court and move an application seeking regular bail after giving prior notice to the Public Prosecutor and in which event the concerned Court shall deal with the same, in accordance with law, on the same day or atleast by next day.

With the above direction, the Criminal Petition is disposed of.

As a sequel thereto, Miscellaneous Petitions, if any, pending shall stand closed.

JUSTICE C. PRAVEEN KUMAR

18.02.2015
vhb