

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.11747 of 2015

ORDER:

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1. This Criminal Petition is filed by the petitioner-accused under Sections 437 & 439 Cr.P.C seeking to grant bail to him in FIR No.309 of 2015 on the file of Cyber Crime, C.C.S., Hyderabad, registered for the offence punishable under Sections 66(C)(D) IT Act, 2008 and Sections 376, 354-A, 419, 506, 509, 468 and 471 IPC.

2. Heard and perused the material available on record.

3. It is alleged that the de facto complainant has been receiving calls from mobile No.7396325864 to her mobile from the month of August, 2015 from a person, who introduced himself as Venkat Reddy pursuing B.Tech I year. It is alleged that the said Venkat Reddy is disturbing the de facto complainant by making repeated calls.

4. Learned Counsel for the petitioner submitted that the complaint does not attract the ingredients of the offences alleged and that the present case is fabricated against the petitioner and that the investigating agency is unable to complete the investigation till date and that the petitioner was arrested on 22.10.2015 and since then, he has been in prison.

5. The learned Public Prosecutor filed a counter alleging as follows:

On the complaint lodged by the de facto complainant, the above crime was registered. It is stated that the accused was apprehended on 22.10.2015 and at his instance, the police seized material objects viz., 13 ledger books, 19 mobile phones, 500 greeting cards, bunches of contraceptive pills and condoms. The petitioner is maintaining two accommodations one at Sainagar Colony, Nagole and another at Bandlaguda, Nagole. The petitioner-accused is using the second accommodation for his illegal activities. The ledger books and the bio-datas written by the petitioner

in the books show his sexual desires, and all the bio-datas belong to girls only. One Mr. Shiva, who is a student of Engineering and temporarily looking after Indian Internet Point, Kothapet stated that on the request of the petitioner, he downloaded nearly 9000 hall tickets of girls, who applied for SSC supplementary examinations and supplied the same to the petitioner and when he questioned the petitioner, he replied that he will talk with the girls and admit them in Women's colleges, with whom he had tie up to admit girls. The petitioner maintained a house at Pragathinagar, Kukatpally also for his illegal activities from January, 2015 to April, 2015. In the first week of April, 2015 he vacated the same. The neighbours stated that girls used to visit the house of the petitioner and on one day, all the locality people caught hold of one girl and asked about her presence in the room of the petitioner. The girl persuaded the locality people not to reveal the matter to anybody. The petitioner is habitual offender of Crimes against women and previously, he was involved in three crimes and he is presently involved in two more cases.

6. The learned Public Prosecutor submitted that if the petitioner is released on bail, he will continue the offences of this nature in order to spoil the life of innocent girls, and he will tamper evidence and threaten the victims.

7. The material alleged to have been seized from the possession of the petitioner clearly shows the involvement of the petitioner in the crimes concerned. Therefore, this Court is of the view that it is a fit case, wherein the investigating agency should be given an opportunity to complete the investigation and to file a final report. Since the offences alleged are against the women, there is every possibility of non filing of complaints by the aggrieved women. One of such instance was also mentioned in the counter.

8. Considering the facts and circumstances of the case, this Court is of the view that the grant of bail to the petitioner will be a wrong signal to the criminals, who are involved in a case of this nature by way of using modern equipments, persuading the ladies and making them to suffer in their hands. In the circumstances, this Court is not inclined to grant bail to the petitioner.

9. Accordingly, the Criminal Petition is dismissed.

JUSTICE RAJA ELANGO

Dated: 24.11.2015

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