

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 7603 of 2015

ORDER:

The petitioner who is an accused in Crime No. 110 of 2014 on the file of the Gudivada I Town Police Station, Krishna District filed this petition seeking anticipatory bail in the event of his arrest in connection with the aforesaid crime registered for the offences punishable under Sections 363, 342, 376(2), 376(1) and 506 IPC and Sections 4 & 6 of POCSIO Act 2012.

Heard learned Counsel for the petitioner and learned Public Prosecutor for the State.

The case of the prosecution in brief is that on 23.01.2014 at about 13.30 hours the victim girl, who is aged about 13 years and studying 9th class, was taken on bike by the accused to his house and locked her in a room and forcibly did intercourse with her repeatedly for two hours and threatened her with dire consequences not to disclose to anybody of the incident. When victim girl's mother found abnormalities in her daughter's body, she got doubt and when the victim girl was examined, the medical officer confirmed pregnancy. Pursuant to the same, when the parents of the victim girl asked the parents of the petitioner to perform marriage, the parents of the petitioner scolded them in their caste name. Based on the same, the present complaint was filed.

It is submitted by the learned Counsel for the petitioner that the petitioner has to appear for the B.Ed. regular examinations scheduled to be held from 24.08.2015 and therefore he may be granted anticipatory bail.

The bail petition in Criminal Petition No. 6712 of 2015 filed by the petitioner earlier was dismissed by this Court on 22.7.2015. There are no changed circumstances from the date of dismissal of the earlier bail application to this date. Further there is a grave allegation of heinous crime committed by the petitioner. If the petitioner is granted anticipatory bail, there is every possibility of threatening or inducing the witnesses. Mere request of the petitioner to allow him to attend for the forthcoming B.Ed. examinations is no ground at all to grant bail having regard to the accusation of scandalous and outrageous crime in nature levelled against him. Having regard to the same, this Court is not inclined to grant bail to the petitioner.

The Criminal petition is dismissed.

JUSTICE M.S.K. JAISWAL

Dated 14th August, 2015
Msnr_x