

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No. 686 of 2015

ORDER:

The petitioner who is accused in Crime No.266 of 2014 of Ongole I Town Police Station, filed the present application under Sections 437 and 439 Cr.P.C., seeking enlargement on bail in the above crime, initially, police registered 'girl missing' case and subsequently, altered to the offences punishable under Sections 302 and 201 of IPC.

The averments in the remand report are as under:

On 25.11.2014, the informant is alleged to have stated that his grand daughter by name Kunda Aaradya, aged about 1 year 7 months was found missing, while she was playing in front of the house. The informant and his family members are alleged to have enquired in the surroundings, but in vain. The informant along with his second son-in-law, who is the petitioner herein lodged a report which came to be registered as Crime No.266 of 2014 under 'girl missing'.

During the course of investigation, the Sub Inspector of Police visited the scene of offence, prepared the rough sketch of the scene, examined LWs.1 to 4 and recorded their statements under Section 161 (3) of Cr.P.C. On 26.11.2014, at about 06.00 a.m., the Inspector of Police interrogated the petitioner, who is the son-in-law of the informant, wherein he confessed about the issue which lead to the seizure of Honda Dream Youga Motor Cycle and a small coconut rope bundles. The confession of the accused also lead the police party and the mediators to the garden where the accused is alleged to have murdered the deceased by throttling and thereafter setting

her on fire by pouring petrol with a view to screen the evidence.
Basing on the said confession, he was arrested on 26.11.2014.

Learned counsel for the petitioner mainly submits that even accepting the allegations in the report to be true, no offence is made out against the petitioner. According to him, the investigation is completed and as all the material witnesses are examined, he seeks bail.

Learned Public Prosecutor opposed the application contending that this is a case wherein the petitioner is alleged to have killed a girl who is aged about one year seven months in a most brutal manner and as such he is not entitled for bail.

A perusal of the material would show that the case is still at the stage of investigation. Pursuant to the confession made by the petitioner, the police were able to recover the dead body of the deceased from Subbabula Garden.

Having regard to the said circumstances and as the case is still under investigation, I am not inclined to grant bail to the petitioner.

Accordingly, the Criminal Petition is dismissed.

C. PRAVEEN KUMAR, J

10.02.2015
vhb