

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.9955 OF 2015

ORDER:

This criminal petition under Sections 437 and 439 of the Code of Criminal Procedure is filed by the petitioners/A.1 and A.2 seeking bail in crime No.892 of 2015 on the file of the L.B.Nagar Police Station, Cyberabad, Ranga Reddy District, registered for the offences under Sections 342, 326-A, 307 IPC read with Section 34 IPC.

Heard and perused.

The case of the prosecution is as follows.

On 08.07.2015, at about 10.30 hours, the complainant Ch.Pratyusha was brought to the police station by the police on information. The complainant stated that she is the daughter of Ramesh Kumar and Sarala Devi. The said parents took divorce during the year 2003 and thereafter the complainant stayed with her mother at Padmarao Nagar, Secunderabad and however during the year 2010, her mother expired. Her father married one Chamundeswari as second marriage, thereby she was admitted at Satya Sai Vidhya Mandir, Musapet, Hyderabad. Her father and her step mother Chamundeswari were staying at Aditya Nagar and however, the complainant was brought by her father Ramesh Kumar from home to their house 1 ½ year back and since then she has been staying with the step mother who is harassing her after getting done work like servant maid and usually beat her and confined in the house.

Learned counsel for the petitioners submits that the petitioners/A.1 and A.2 are no way connected with the offence as alleged against them and that the investigation is also completed. The petitioner No.1/A.1 is a housewife and petitioner No.2/A.2 is the JTO in the Central Government and that they are in jail. There is no apprehension of tampering of witnesses and threat to complainant. Insofar as petitioner No.2/A.2 is concerned, it is humbly submitted that he is the father of the victim girl and that the only allegation against the petitioner No.2 is that he did not stop the harassment of cruel treatment caused by the petitioner No.1 to the victim girl. He further submits that

the petitioner No.2 cannot be made responsible for the alleged ill-treatment which took place in his absence, i.e., when the petitioner is in his official duties.

Learned Public Prosecutor submits that the offence came to light after the matter is taken by the First Division Bench of this Court after issuance of notice. Thereafter, the victim girl was produced before the Bench and she was examined by the Bench. The victim girl stated before the Bench the harassment meted out by the petitioners 1 and 2/A.1 and A.2. He further submits that if the petitioners are released on bail, there is every possibility of tampering of witnesses since the victim girl is the daughter of A.2.

Considering the rival contentions, this Court is of the view that this is not a fit case to grant bail to the petitioners herein.

The criminal petition is accordingly dismissed.

JUSTICE RAJA ELANGO

28.10.2015

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