

**THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**CRIMINAL PETITION NO.2128 of 2015**

**ORDER :**

The petitioner, who is accused No.1, filed the present Criminal Petition under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in connection with Crime No.49 of 2015 of Pet Basheerabad Police Station, Cyberabad, Ranga Reddy District, registered for the offences punishable under Sections 448, 354 (B) and Section 366 read with Section 34 of IPC.

The case of the prosecution is as under:

A year prior to the date of incident, one Vinod/A1, who is the resident of Malchapur, Bidar, Karnataka, came to the house of the informant seeking alliance with the daughter of the informant, who was working as tailor. Later, the informant came to know that the character of the said person was not good and hence denied to perform his elder daughter's marriage with the said person. While leaving the house, A1 is alleged to have challenged to marry her and accordingly on 23.01.2015 at about 10.00 a.m., while the informant's daughter was alone in the house, A1 along with his friends came in Scorpio vehicle to the house of the informant and are alleged to have abducted the informant. Basing on these allegations, present case came to be filed.

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

Learned counsel for the petitioner mainly submits that even accepting the statements of the victim, the ingredients constituting an offence under Section 354 (B) are not made out against the petitioner. According to him, the statement does not anywhere disclose that she was either kidnapped or sexually harassed. He further submits that pursuant to the information received, police intercepted the vehicle on highway, but neither A1 nor the victim was present in the vehicle at that time. He

submits that the petitioner is innocent of the offences alleged and a false case has been foisted against the petitioner for the purpose of this case. Learned Public Prosecutor opposed the application contending that if the petitioner is released on bail, there is every likelihood of he tampering with the evidence and also threaten the witnesses.

As seen from the record, it was A1 who is alleged to have come to Hyderabad from Bidar with an intention to abduct the victim girl, when she refused to marry him on the ground that his antecedents are not good. On the other hand, the incidents of trespassing into the house of the informant, forcibly abducting the victim girl and thereafter taking her in his vehicle are attributed to the petitioner and the said acts do constitute the offences alleged. Since the investigation is still pending and in view of the apprehension expressed by the learned Public Prosecutor that there is every likelihood of the petitioner tampering with the evidence, if released on bail, I am not inclined to grant bail to the petitioner/A1 at this stage.

Accordingly, the Criminal Petition is dismissed.

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**JUSTICE C. PRAVEEN KUMAR**

20.03.2015  
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