

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No. 1998 of 2015

ORDER :

The petitioner, who is A-1 in Crime No.32 of 2015 of Gokavaram Police Station, Rajahmundry Urban, preferred the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in the above crime registered for the offences punishable under Sections 417, 376, 506 read with 34 IPC.

The case of the prosecution is as under :

The informant herein lodged a report stating that since last six years herself and the accused were in love with each other and pursuant to a promise made by the petitioner that he would marry her, she participated in sexual intercourse with him several times. The petitioner used to harass the informant stating that he would die if she refuses to marry him. When the parents of the informant were searching for alliances to her, the petitioner used to convince her to postpone the same on one pretext or the other stating that he would marry her. In the absence of parents of the informant in their house, the petitioner used to go to her home and indulge in sexual intercourse with her on the promise of marriage. Recently the informant came to know that the petitioner is making arrangements for his marriage with another girl. She also came to know that he got himself engaged with another girl. When she went to the house of the petitioner and questioned, his parents and sister told her that the petitioner would not talk to her and that his marriage was settled with some other girl. When she questioned the petitioner about

the same, he confirmed and asked the informant to do whatever she can. Basing on these allegations, the above report came to be lodged.

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

A perusal of the averments in the report would show that the petitioner herein cohabited with the informant on a promise to marry her. Subsequently, he went back on his promise and deceived the informant. It is true that the informant is a major, but the circumstances under which she cohabited with the petitioner cannot be lost sight of. Hence, I am not inclined to consider the request of the petitioner.

Accordingly, the Criminal Petition is dismissed. However, the petitioner, if so advised, is directed to surrender before the concerned Court and move an application for bail before the appropriate Court after giving prior notice to the Public Prosecutor in which event the same shall be dealt with, in accordance with law, either on the same day or at the earliest.

JUSTICE C. PRAVEEN KUMAR

18th March, 2015
cbs

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