

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1983 of 2015

ORDER:

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1. This Criminal Revision Case is filed by the petitioner aggrieved by the Judgment dated 31.8.2015 passed in CrI.A.No.547 of 2015 by the IV Additional Metropolitan Sessions Judge, Hyderabad.

2. Brief facts of the case are as follows:

The victim-girl, who is the daughter of the petitioner, was produced before the trial Court in connection with Crime No.117 of 2015 with an allegation that she was indulged in the offence punishable under the provisions of Prevention of Immoral Traffic Act. The petitioner-father of the victim girl filed CrI.M.P.No.1371 of 2015 before the II Additional Chief Metropolitan Magistrate, Hyderabad seeking custody of the victim girl. The trial Court dismissed the said application. Aggrieved by the same, the petitioner filed CrI.A.No.547 of 2015 before the learned IV Additional Metropolitan Sessions Judge, Hyderabad. The learned Sessions Judge dismissed the said appeal. Hence, the petitioner filed this revision.

3. Heard and perused the material available on record.

4. The report of the rescue home viz., Prajwala home goes to show that there is need for intense counseling and there are lot of unresolved issues of isolation and loneliness of the victim, to be tackled, otherwise the life of the victim will be at risk. The statement of the victim recorded by the Magistrate goes to show that she is leading her life according to her own will and pleasure. Basing on the statement of the victim girl and the report of the rescue home, the Court below dismissed the application of the petitioner.

5. Learned Counsel for the petitioner submitted that the petitioner,

who is the father of the victim, has got sufficient income and he is capable of looking after the victim girl with utmost care and affection.

6. On the oral directions given by this Court as to the appearance of the petitioner so as to know whether he is capable of maintaining the victim girl and whether he is really interested in the welfare of the victim girl, the petitioner appeared today before this Court and stated that because of some bad elements, the victim girl committed the present crime and he being the father arranged the marriage for the victim-girl and he is interested in the welfare of the victim girl. He also informed that the marriage engagement of the victim was also performed and he will perform the marriage of the victim within three months and to produce the victim and also the person, with whom her marriage would be performed, before this Court.

7. Considering the statement made by the petitioner before this Court and the submissions made by the learned Counsel for the petitioner, this Court is of the view that the custody of the petitioner can be given to the petitioner and one opportunity shall also be given to the victim girl to rectify her mistakes.

8. The authorities concerned are directed to hand over the victim girl to the petitioner on condition of the petitioner filing an affidavit informing that he shall take care of the victim girl and he shall produce the victim girl before the Non-Voluntary Organization (Prajwala) concerned as and when required till solemnization of her marriage. The authorities concerned are also directed to verify the identity of the petitioner herein.

9. With the above directions, the Criminal Revision Case is disposed of. Consequently, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 30.10.2015

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