

8THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.11933_OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Public Prosecutor. Perused the material on record.

2. The present Criminal Petition came to be filed by the petitioner/A.1 under Section 438 Cr.P.C., seeking release in the event of his arrest in Crime No.67 of 2016 of II Town Police Station, Bellampally Police Station, Adilabad District, registered for the offences punishable under Sections 376, 417 and 420 IPC and Section 3(1)(x) and (xii) of the SC/ST (POA) Act, 1989.

3. The case of the prosecution is that petitioner developed friendship with the informant and subsequently, fell in love. The petitioner seduced the informant with a false promise to marry her and participated in sexual intercourse, resulting in she became pregnant. When the informant asked the petitioner about the marriage, he postponed the same stating that he would marry the informant after getting a job and got terminated her pregnancy.

When the informant went to the marriage of sister of the petitioner, his parents abused the informant by touching her caste. Subsequently, the petitioner got a job in army. When the informant asked the petitioner to marry her, he denied the same and later, she came to know that the petitioner's engagement was performed with another girl. Basing on these allegations, the present crime came to be registered.

4. Learned counsel for the petitioner submits that the

allegations in the report are all false and the petitioner is innocent of the offences alleged against him.

5. Learned Public Prosecutor opposed the same and further submitted that the informant is innocent of the consequences that will ensue because of the said act.

6. As seen from the record, the informant and the petitioner are majors and it is to be presumed that they are aware of the consequences. Since all the material witnesses were examined and as the petitioner is a Government employee working in Army, he shall surrender before the Magistrate concerned and move an application for bail after giving prior notice to the learned Public Prosecutor, upon which, the petitioner shall be released on bail on his executing a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties for a like sum each to the satisfaction of the Magistrate concerned. Further, the petitioner shall report before the same Station House Officer, II Town Police Station, Bellampally, Adilabad District, thrice in a week i.e., on Monday, Wednesday and Friday, between 10:00 A.M., and 5:00 P.M., for a period of eight (08) weeks or till filing of charge sheet, whichever is earlier.

7. Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

Date:23.08.2016

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