

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.1547 OF 2016

ORDER:

This Criminal Petition is filed by the petitioner/mother of the victim girl under Section 439(2) Cr.P.C. seeking to cancel the bail granted to respondent No.2 in CrI.M.P.No.499 of 2015 in Crime No.239 of 2015 (II Town Police Station, Vizianagaram) on the file of the I Additional District Judge, Vizianagaram.

2. The offences alleged against respondent No.2 are punishable under Section 354-D I.P.C. and Section 12 of the Protection of Children from Sexual Offences Act, 2012.

3. Learned counsel for the petitioner submitted that after grant of bail, respondent No.2 threatened the victim girl and the petitioner herein with dire consequences; that she filed CrI.M.P.No.534 of 2015 before the Court below for cancellation of bail and the same was dismissed on the ground that subsequent events cannot be taken into consideration and hence, prays to cancel the bail granted to respondent No.2.

4. The said observation of the learned Sessions Judge is erroneous in nature. After granting bail, subsequent events can be taken into consideration for cancellation of a bail. In the instant case, respondent No.2 threatened the petitioner and the victim girl. So, the Court, which granted bail earlier, can cancel the same. Taking into consideration the fact that the offences charged are bailable in nature, this Criminal Petition is disposed of with the following direction:

Respondent No.2/accused is hereby directed to stay at Visakhapatnam and to report before the Station House Officer, Central Crime Station, Visakhapatnam daily between 10:00 A.M. and 5:00

P.M. until further orders.

5. Miscellaneous Petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

22.6.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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