

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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CRIMINAL PETITION No.12115 OF 2016
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ORDER:

Heard the learned counsel for the petitioner and the learned Public Prosecutor.

2. The present Criminal Petition came to be filed under Sections 437 and 439 Cr.P.C. by the petitioner/A.1 seeking enlargement on bail in Crime No.437 of 2016 of Kusaiguda police station, Cyberabad registered against him and others for the offences punishable under Sections 363, 376-D and 506 IPC.

3. The case of the prosecution is as under:

On 20.06.2016 at about 21.00 hours, the informant/victim went to the house of her parents in Hanuman nagar, Kusaiguda. Her husband went outside to bring tiffin. As he did not return back till 21.30 hours, the informant went outside to make phone call to her husband. While she was returning to her house, A.1 and A.2 followed her in a motor cycle and forcibly took her to an isolated place near Icomm company at Banglaguda, where A.3 was present. Then all the persons are alleged to have committed rape on her one by one. Thereafter, they dropped her at Pochamma Temple near her residence and fled away threatening with dire consequences if she reveals about the incident to others. Basing on these allegations, the above crime came to be registered.

4. Learned counsel for the petitioner submits that the incident is alleged to have taken place on 20.06.2016 and the report was lodged on 08.07.2016. The abnormal delay of 20 days in lodging the report is not explained and

as such request to release the petitioner on bail.

5. Learned Public Prosecutor opposed the application, stating that investigation is still pending.

6. A perusal of the material on record makes it clear that the petitioner along with other accused committed sexual assault on the victim. In the circumstances of the case, the delay in lodging the report may not play vital role at this stage. Having regard to the nature of allegations made, which in my view are grave and serious in nature and as the investigation is still pending, I am of the view that it is not a fit case to grant bail to the petitioner for the present.

7. The Criminal Petition is, accordingly, dismissed.

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JUSTICE C. PRAVEEN KUMAR

Date: 19.08.2016

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THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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19.08.2016