

HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.38 OF 2016

ORDER:

This criminal petition under section 438 of the Code of Criminal Procedure is filed by the petitioner-accused seeking anticipatory bail in connection with Crime No.59 of 2015 pending on the file of Ramakuppam Police Station, Chittoor District registered for the offence under Sections 323, 376 r/w 511 IPC.

The allegation against the petitioner is that on the evening of 24.11.2015 when the de facto complainant was returning to her village, the petitioner dragged her, gagged her mouth and made an attempt to rape her and on her raising cries, he fled away.

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

The manner in which, the occurrence described in the complaint itself creates a doubt in the mind of the Court. The petitioner is not involved in any previous cases.

Considering the above, this Court is inclined to grant anticipatory bail to the petitioner since it will not cause any prejudice for further investigation.

Hence, the petitioner-accused is directed to surrender before the Magistrate concerned on or before 02.02.2016 and on such surrender, he shall be enlarged on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the likesum to the satisfaction of the Magistrate concerned. Further the petitioner is directed to report before the Station House Officer concerned daily between 10.00 a.m. and 5.00 p.m. for a period of ten days.

The Criminal Petition is allowed accordingly.

JUSTICE RAJA ELANGO

18.01.2016

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