

HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

Criminal Petition No.4466 of 2017

ORDER:

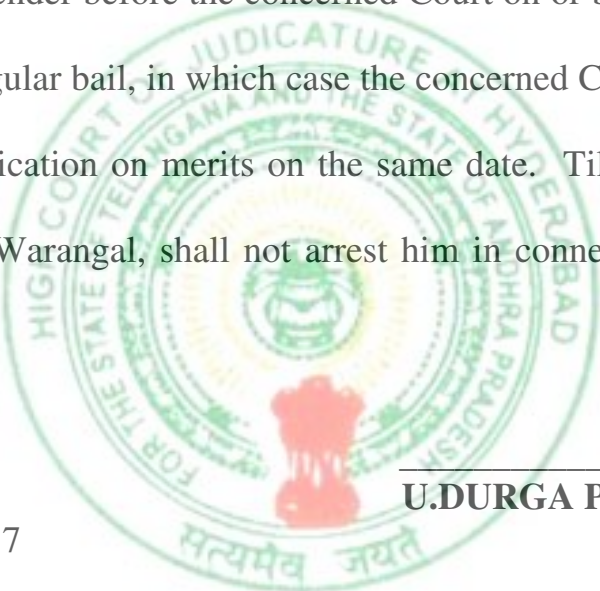
In this petition filed under Section 438 Cr.P.C, the petitioner/accused seeks pre-arrest bail in Crime No.75/2017 of Railway PS, Warangal which was registered under Sec.353 and 354 IPC.

2) The *defacto* complainant is the Woman Constable RPF, Post Warangal and her complaint is to the effect that on 28.05.2017 while she was on duty at Platform No.1, Konark Express Train No.11019 arrived at 10:46 hours and as a part of her duty, she wanted to check SLR coaches and Dog boxes etc., and when she entered therein, the accused who was the guard of the said train obstructed her for checking but somehow she managed to enter the SLR coach and checked the dog boxes and stretcher room. When she was about to complete her checking, the accused allegedly caught hold her hand and also touched hip and other parts. She rescued herself from his hands and detrained and later there was hot exchange of words between them. On her report, the investigation is said to be underway.

3) Denying the allegations, the submission of learned counsel for petitioner is that the train was supposed to stop for few minutes and the complainant came for checking the SLR coach in the last moment and therefore, the accused requested her not to enter the train and on that a false complaint was given against him.

4) It is seen that earlier the petitioner moved the II Additional Sessions Judge, Warangal for pre-arrest bail in CrI.M.P.No.751/2017. While dismissing the bail, learned Judge directed him to surrender before the concerned Court and seek for regular bail. Not following the same, the petitioner filed the present application. Having regard to the gravity of the offence and *prima facie* accusation against him, it is not a fit case to grant anticipatory bail.

5) Accordingly, while dismissing the bail application, the petitioner is directed to surrender before the concerned Court on or before 01.08.2017 and seek for regular bail, in which case the concerned Court shall dispose of his bail application on merits on the same date. Till 01.08.2017, the police of RPS Warangal, shall not arrest him in connection with Crime No.75/2017.



U.DURGA PRASAD RAO, J

Date: 25.07.2017

Note: Issue C.C by tomorrow
(b/o)
scs