

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION NO.6584 OF 2017

ORDER:

Petitioners, who are A1 and A2 in Cr.No.174 of 2014 on the file of Station House Officer, Hanamkonda Police Station, Warangal District, registered for the offences punishable under Sections 11 (i) (iv) r/w 12 of Protection of Children from Sexual Offences Act, 2012 and Sections 354(A)(iv) and 354(D)(i) IPC, filed this petition under Sections 437 and 439 Cr.P.C. seeking regular bail.

2. Learned counsel for the petitioners strenuously submitted that when the parents of A1 refused to perform the engagement of A1 with Shazia Sulthana (L.W.2), Aliya Sulthana (L.W.1), who is the mother of victim girl, lodged a false complaint against the petitioners. He further submitted that even if the allegations made in the complaint *ex facie* taken to be true and correct, no *prima facie* case is made against the petitioners. He further submitted that even if the petitioners are released on bail, there is no chance of tampering with the prosecuting witnesses; therefore, it is a fit case to grant bail to the petitioners. **Per contra**, learned Additional Public Prosecutor representing the State submitted that the petitioners have been teasing the victim for the last two years. He further submitted that in spite of advice of the caste elders and the parents of the victim, the petitioners did not change their behaviour and abused the de facto complainant and her daughter on 26-06-2017 in filthy and un-parliamentary language. He further submitted that investigation is in progress; therefore, it is not a fit case to grant bail to the petitioners.

3. The facts leading to filing of the present petition are briefly as follows: The mother of the victim lodged a

complaint. As per the prosecution version, the petitioners were teasing the victim, who is aged about 16 years for the last two years. It is further alleged that in spite of advice of the caste elders and the parents of the victim, the petitioners continued to tease the victim. It is further alleged that on 26-06-2017, the petitioners abused the de facto complainant and her daughter in filthy language. A perusal of the record reveals that investigation is still in progress. The material placed before the Court *prima facie* reveals the role played by the petitioners in the commission of the alleged offences.

4. Having regard to the facts and circumstances of the case and the nature of offences alleged to have been committed by the petitioners as well as stage of investigation, I am of the considered view that it is not a fit case to grant bail to the petitioners at this stage.

5. Accordingly, the Criminal Petition is dismissed.

DATED: 07-08-2017.
Hsd

T.SUNIL CHOWDARY, J