

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.7191 of 2017

ORDER:

This criminal petition is filed by the petitioner-accused, under Sections 437 and 439 Cr.P.C., seeking bail in Crime No.388 of 2017 on the file of the Station House Officer, Kusaiguda Police Station, for the offences punishable under Section 376(1) IPC and Sections 3(a) and 4 of the Protection of Children from Sexual Offences Act.

2. Heard the learned counsel for the petitioner and learned Additional Public Prosecutor representing the State.

3. Kum.Nadigottu Deepika is the *de facto* complainant. The prosecution case is that the petitioner developed friendship with the *de facto* complainant about two years back and by making false promise that he will marry her, enjoyed her sexually. The petitioner filed CrI.M.P. No.2258 of 2017 on the file of the Court of Metropolitan Sessions Judge, Cyberabad, at L.B. Nagar, under Section 439 of Cr.P.C., and the same was dismissed on 21.6.2017 on the ground that the victim is a minor.

4. It is the contention of the learned counsel for the petitioner that the petitioner was falsely implicated in this case. Whether the petitioner was falsely implicated or not will be decided during the course of trial. The record reveals that the investigation is in progress. As pointed out by the learned Additional Public Prosecutor, if the petitioner is released on bail, the possibility of tampering with the prosecution witnesses cannot be ruled out

completely. A perusal of the record reveals that the victim is aged about 17 years.

5. Taking into consideration the gravity of the offences alleged to have been committed by the petitioner and the stage of the investigation, this court is of the view that it is not a fit case to grant bail to the petitioner.

6. In the result, the criminal petition is dismissed.

T.SUNIL CHOWDARY, J

August 21, 2017
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