

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRL.P.No.364 OF 2017

ORDER:

This criminal petition is filed under Section 437 and 439 of Cr.P.C to enlarge the petitioners/A1 to A3, who are in judicial custody since 01.11.2016, on bail in Crime No.1046 of 2016 of Rajendranagar Police Station, registered for the offences punishable under Sections 394, 376(g) read with 511 of IPC.

The case of the prosecution, in brief, is that on 29.10.2016 morning, the *de facto* complainant by name Vadla Sunitha, W/o Niranjan along with Kasinath attended to labour work at Sun City and during evening while she was returning along with her co-worker, Kasinath on a motor cycle, on the way, on reaching open place behind Parama Reddy Hills at about 19.00 hours, three persons came on a bike and stopped them and that the person, who has grown beard kicked the bike, due to which Kashinath fallen down and started beating Kasinath and another person and robbed an amount of Rs.1500/-. The person, who has grown beard and another person caught hold of her neck and dragged into bushes, attempted to commit rape. Thereupon, she raised hue and cry to attract the attention of neighbours. On hearing the same, neighbours came there and rescued her.

The contention of the petitioners is that if really the said incident is occurred, the *de facto* complainant and Kashinath

would have sustained injuries, but no injuries were found on the body of them. It is not a ground to enlarge the petitioners on bail. Moreover, these petitioners filed CrI.P.No.83 of 2017 before this Court, which was ended in dismissal on 11.01.2017 on the ground that the offences allegedly committed by the petitioners are grave in nature and that the investigation is not yet completed. The present criminal petition is filed within eight days after dismissal of the earlier application without any changed circumstances. On the other hand, the investigation is not yet completed till now and the offence is grave in nature having impact on the society. Therefore, the criminal petition is liable to be dismissed.

In the result, the criminal petition is dismissed.

Pending miscellaneous petitions in the petition, if any, shall stand closed.

M.SATYANARAYANA MURTHY,J

25.01.2017
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