

HONOURABLE SRI JUSTICE G.SHYAM PRASAD

CRIMINAL PETITION No.83 of 2017

ORDER:

This Criminal Petition is filed under Sections 437 and 439 of Cr.P.C. to grant regular bail to the petitioners in Cr.No.1046 of 2016 of Rajendranagar Police Station for the alleged offences under Sections 394 and 376 (g) read with Section 511 of IPC.

On the complaint of one Sunitha, police registered a case in Crime No.1046 of 2016 for the above said offences against the petitioners.

The case of the prosecution is that on 29-10-2016 at 7 P.M., while the *de facto* complainant along with Kasinadh were returning from sun city after completing labour work, and when they reached an open place backside of Paramareddy Hills, three persons stopped them and one kicked their bike, due to which, Kasinadh fell down and they beat him and robbed an amount of Rs.1,500/- from him. Three persons caught hold, beat and dragged the *de facto* complainant into bushes and attempted to commit rape, but on hearing her hues and cries, neighbours rushed there and rescued her. The culprits fled away from there leaving the bike there itself. Basing on the above facts, police registered the case against the petitioners.

The petitioners moved an application for grant of bail in CrI.M.P.No.3187 of 2016 in Cr.No.1046 of 2016 before the III Additional Metropolitan Sessions Judge, R.R.District and the same was dismissed as the investigation was in progress.

The petitioners have approached this court on the ground that they are poor and are falsely implicated in this case and they are in jail from 01-11-2016. They are the sole bread winners of their respective families, and unless they are released on bail, their families would be put to

severe hardship and starvation. Investigation is almost completed except filing charge sheet and therefore, sought for release of petitioners on bail.

The point for consideration in this matter is whether the petitioners are entitled for grant of bail.

Heard the arguments of learned counsel for the petitioners and the learned Public Prosecutor.

Learned counsel for the petitioners submits that the petitioners have been in remand for the last 72 days and the investigation is almost completed and therefore sought for their release on bail.

Learned Public Prosecutor submits that the charge-sheet has not yet been filed though investigation is almost completed.

Considering the facts and circumstances of the case, keeping in view the gravity of the offences, I am not inclined to enlarge the petitioners on bail, at this stage.

Hence, the Criminal Petition is dismissed. As a sequel, miscellaneous petitions, if any pending, shall stand closed.

JUSTICE G.SHYAM PRASAD

Dated 11-01-2017
Prv/Ka

