

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRL.P.No.760 OF 2017

ORDER:

This criminal petition is filed under Sections 437 and 439 of Cr.P.C to enlarge the petitioner/A1 on bail in connection with Crime No.393 of 2016 of Nirmal Town Police Station, Adilabad, registered for the offences punishable under Sections 452, 354-A, 326-B and 352 of IPC.

The petitioner is working as Principal and whereas the *de facto* complainant is working as teacher in the same school. The petitioner taking advantage of his position as Principal started sexually harassing the *de facto* complainant, who is subordinate female teacher, and trespassed into her house after preparation for assault and attempt to throw acid with an intention to cause permanent damage on 28.12.2016 at 20.00 hours at Gowtham Model School, Nirmal and at Budhwarpet, Nirmal and the same was reported on 29.12.2016 at 11.00 hours by Kotte Soundarya D/o Rajeshwar against A1-Irfan Ahmed S/o Ajaj Ahmed. When the petitioner trespassed into the house to force her to develop love affair with him and to marry him with preparation to assault throwing acid, she raised cries immediately and on hearing her cries, her father came and pushed her aside. Therefore, the petitioner allegedly committed serious offence being a Principal against the teacher working under him in the same school.

Learned counsel for the petitioner contended that out of disputes in employment she foisted a false case against the petitioner and no evidence has been collected so far to *prima facie* conclude that the petitioner committed such an offence and

requested to enlarge the petitioner on bail, who is in judicial custody since 29.12.2016.

Whereas, learned Additional Public Prosecutor contended that the statements recorded by the police, including the statement of *de facto* complainant and her father, would show that the petitioner trespassed in to the house after preparing himself to cause damage by throwing acid on the *de facto* complainant, who is a teacher working in the same school, where the petitioner is working as Principal. The statements recorded by the police and the investigation are consistent that the father of the *de facto* complainant was present at the time of alleged incident and he pushed his daughter aside and when she raised cries, the accused left the place.

Learned counsel for the petitioner contended that no acid bottle was seized from the petitioner, but that is not the ground to enlarge the petitioner at this stage.

The investigation is not yet to be completed. If the petitioner is enlarged on bail, there is every possibility of repeating the crime because he developed enmity against the *de facto* complainant, who is working as a teacher in the same school. Therefore, I do not find any ground to grant bail to the petitioner.

The criminal petition is accordingly dismissed.

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

M.SATYANARAYANA MURTHY,J

13.02.2017

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