

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.5347 of 2017

ORDER:

This criminal petition is filed, by the petitioner-accused under Section 438 Cr.P.C., seeking pre-arrest bail in Crime No.147 of 2016 on the file of the Station House Officer, Tadepalligudem Rural Police Station, Tadepalligudem, West Godavari District, registered for the offences punishable under Section 354(d) IPC and Section 11 read with 12 of Protection of Children from Sexual Offences Act, 2012.

2. The learned counsel for the petitioner submitted that the *de facto* complainant falsely implicated the petitioner and the petitioner has nothing to do with the alleged offence. ***Per contra***, learned Additional Public Prosecutor representing the State submitted that the allegations made against the petitioner are serious in nature. He further submitted that in spite of the advice given to the petitioner, he did not change his behaviour and followed the *de facto* complainant. He further submitted that the allegations made in the complaint *prima facie* constitute the offence alleged to have been committed by the petitioner.

3. The facts leading to filing of the present petition are briefly as follows: One Pulla Venkata Sai Durga is the *de facto* complainant. As per the prosecution version, the petitioner herein followed the *de facto* complainant and requested her to marry him. It is further alleged that the petitioner threatened the *de facto* complainant that he will pour acid on her, if she will not marry him.

4. The petitioner filed CrI.M.P.No.492 of 2017 under Section 438 Cr.P.C. on the file of the Court of the Special Judge under Protection of Children from Sexual Offences Act – cum – I Additional Sessions Judge, West Godavari District and the same was dismissed on 12.06.2017.

5. A perusal of the record *prima facie* reveals that the petitioner on number of occasions followed the *de facto* complainant and requested her to marry him. A perusal of the record further reveals the role played by the petitioner. A perusal of the record *prima facie* reveals that the victim is a minor girl studying 1st year intermediate course.

6. Taking into consideration the nature of the offence alleged to have been committed by the petitioner as well as the stage of investigation, this Court is of the considered view that it is not a fit case to grant pre-arrest bail to the petitioner.

7. In the result, the Criminal Petition is dismissed.

9th August, 2017
Rns

T.SUNIL CHOWDARY, J