

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.9403 of 2017

ORDER:

This Criminal Petition is filed by the petitioners-accused Nos.1 and 2, under Sections 437 and 439 Cr.P.C., seeking bail in Crime No.92 of 2017 on the file of the Station House Officer, Adilabad (Rural) Police Station, Adilabad District, registered for the offences punishable under Section 354(B) I.P.C.; Section 3(1)(w)(i) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015; and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

2. The learned counsel for the petitioners submitted that the petitioners were falsely implicated in this case.

3. The learned Additional Public Prosecutor submitted that the investigation is in progress; therefore, it is not a fit case to grant bail to the petitioners.

4. The case of the prosecution is that on 22.07.2017 at about 3:30 PM when the *de facto* complainant was proceeding towards agricultural land to attend calls of nature, the petitioners herein forcibly taken her to an old house and made an attempt to commit rape on her. Basing on the complaint of the *de facto* complainant, the above case was registered.

5. The petitioners filed CrI.M.P.No.941 of 2017 on the file of the Court of the Special Judge under POCSO Act-cum-I Additional District and Sessions Judge, Adilabad, and the same was dismissed on 27.09.2017 on the ground that the investigation is in progress.

6. A perusal of the record reveals that the petitioners herein made an attempt to commit rape on the *de facto* complainant. A perusal of the record *prima facie* reveals the role played by the petitioners in the commission of the offences and the investigation is in progress.

7. Taking into consideration the gravity of the offences alleged to have been committed by the petitioners as well as the stage of investigation, this Court is of the considered view that it is not a fit case to grant bail to the petitioners.

8. Accordingly, the Criminal Petition is dismissed.

Date: 16.10.2017
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T.SUNIL CHOWDARY, J

