

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CRIMINAL PETITION No.8926 of 2017

ORDER:

This petition is filed, by the petitioners-accused Nos.1 to 4, under Sections 437 and 439 Cr.P.C., seeking bail in Crime No.766 of 2017 on the file of the Station House Officer, Banjara Hills Police Station, Hyderabad, registered for the offences punishable under Sections 376, 354, 342 and 506 read with 109 I.P.C.

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 test identification parade is pending; therefore it is not a fit case to grant bail to the petitioners.

4. The case of the prosecution is that the *de facto* complainant and others have taken a room in Oyo City Restaurant, Banjara Hills on 05.08.2017. It is the further case of the prosecution that on 15.08.2017 at midnight, the petitioners along with others committed rape on the *de facto* complainant. It is also the case of the prosecution that the petitioners beat one Ramu and threatened him with dire consequences.

5. The petitioners filed CrI.M.P.No.2769 of 2017 on the file of the Court of the Special Judge for Economic Offences at Hyderabad and the same was dismissed on 08.09.2017 on the ground that test identification parade is pending.

6. A perusal of the record reveals that the victim and others belong to Delhi, whereas the petitioners belong to Nellore District.

The record further reveals the role played by the petitioners in the commission of the offences and the investigation is pending.

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.

T.SUNIL CHOWDARY, J

Date: 03.10.2017
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