

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.9341 OF 2017

ORDER:

This petition is filed by the petitioner-accused No.1, under Section 438 Cr.P.C seeking anticipatory bail in Crime No.180 of 2017 on the file of the Station House Officer, Veenavanka Police Station, Karimnagar District, registered for the offences punishable under Sections 354, 201 and 506 read with 34 of IPC.

2. The learned counsel for the petitioner submitted that the petitioner was falsely implicated in this case. He further submitted that the other accused were released on bail; therefore, it is a fit case to grant pre arrest bail to the petitioner. *Per contra*, the learned Additional Public Prosecutor representing the State submitted that the allegations made in the complaint *ex facie* constitute the offences alleged to have been committed by the petitioner. He further submitted that the investigation is in progress; therefore, the petitioner is not entitled for pre arrest bail.

3. The case of the prosecution is that on 15.8.2017, the petitioner went to the house of Vorem Veeramma (L.W.2) and made an attempt to outrage her modesty. When L.W.2 was proceeding to the Police Station to lodge a complaint, the other accused prevented her to lodge complaint on the ground that they will convene panchayat in the village. Basing on the

complaint lodged by Vorem Agaiah, sister's son of L.W.2, the above case was registered.

4. The petitioner filed CrI.M.P.No.1153 of 2017 on the file of the Court of I Additional Sessions Judge, Karimnagar, under Section 438 of Cr.P.C., and the same was dismissed on 23.9.2017.

5. As rightly pointed out by the learned counsel for the petitioner, there is a delay of three days in lodging the complaint. A perusal of the record reveals that the villagers, who prevented L.W.2 to lodge a complaint, are also arrayed as accused Nos.2 to 7. Whether the delay in lodging the complaint is fatal to the prosecution case or not will be decided at the time of the trial. The trial Court, in its order, narrated the manner in which the petitioner committed the alleged offence. The victim is aged about 70 years. A perusal of the record *prima facie* reveals the role played by the petitioner in commission of the offence.

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

7. Accordingly, the criminal petition is dismissed.

T. SUNIL CHOWDARY, J

Date: 10.10.2017
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