

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.9955 of 2017

ORDER:

This criminal petition is filed, by the petitioner-sole accused, under Section 438 Cr.P.C., seeking anticipatory bail in Crime No.152 of 2017 on the file of the Station House Officer, Peravali Police Station, West Godavari District, registered for the offences punishable under Sections 354, 354(A), 341 and 506 I.P.C.

2. The learned counsel for the petitioner submitted that the petitioner fell in love with the *de facto* complainant since childhood. He further submitted that the petitioner was falsely implicated in this case by the *de facto* complainant for the reasons best known to her.

3. The learned Additional Public Prosecutor submitted that the allegations made in the complaint *prima facie* reveals the role played by the petitioner in the commission of the offences. He further submitted that the petitioner made an attempt to outrage the modesty of the *de facto* complainant knowing fully well that her marriage was fixed with some other person.

4. The case of the prosecution is that on 11.09.2017 at about 6:00 AM the *de facto* complainant got down the bus at Peravali Village. At that time, the petitioner herein came there and asked the *de facto* complainant to come along with him on his motorcycle. When she refused the request of the petitioner, he made an attempt to outrage her modesty. The *de facto* complainant informed the same to her father and other village elders. It is the further case of the prosecution that the petitioner

threatened the prospective bridegroom and father of the *de facto* complainant with dire consequences if they will not perform his marriage with the *de facto* complainant. Basing on the complaint of the *de facto* complainant, the above case was registered.

5. The petitioner filed CrI.M.P.No.1191 of 2017 on the file of the Court of the IV Additional District and Sessions Judge at Tanuku and the same was dismissed on 11.10.2017.

6. A perusal of the record reveals that the petitioner knowing fully well the marriage date of the *de facto* complainant made an attempt to outrage her modesty. The record further reveals that in spite of advice given by the elders, the petitioner did not change his attitude. The record *prima facie* reveals the role played by the petitioner in the commission of the offences.

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

8. Accordingly, the Criminal Petition is dismissed.

T.SUNIL CHOWDARY, J

Date: 27.10.2017
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