

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.12082 OF 2017

ORDER:

Heard learned counsel for the petitioner/accused, learned Additional Public Prosecutor for the respondent State and perused the record.

This petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner/accused in Crime No.37 of 2017 of Thanagalapalli Police Station, Rajanna Siricilla District, for the offences punishable under Sections 417, 420, 376, 370(1), 354D and 506 IPC and 67 of the I.T. Act.

Learned counsel for the petitioner would submit that the petitioner is a married person having two children. The alleged intimacy between the de facto complainant and the petitioner/accused is said to be seven years old. There is a delay in lodging the report. No incident was took place on 14.05.2017 as mentioned in the FIR dated 24.05.2017. The petitioner did not force the de facto complainant to do prostitution. He neither cheated the de facto complainant nor developed any physical relationship with her. The petitioner is a law abiding person. There is no specific mention when the de facto complainant reached her parents. A false report is lodged against the petitioner and ultimately prayed to allow the petition.

Learned Additional Public Prosecutor opposed the grant of bail to the petitioner/accused.

The de facto complainant lodged a report with the police on 24.05.2017 stating that she is a Folk artist. She developed acquaintance with the petitioner/accused, who is aged about

32 years, when he followed her stating that he had fallen in love with her. Her parents opposed the same and even though, she trusted the petitioner/accused. Thereafter, the petitioner used to have sex with her and promised to marry her and took her to Hyderabad and forced her to do prostitution. She escaped from the clutches of the petitioner/accused and joined her parents. The accused followed her and on 14.05.2017 around 7:30 A.M., he came to her house and asked her to come with him and threatened her when she did not listen to follow him. He also abused her in the name of her caste. Again on 23.05.2017, he opened an account in Facebook as Shilpa Cheekati Konam, placed her photos, wrote indecent words and caused damage to her reputation in the society. Thus, he harassed the de facto complainant mentally and physically.

There is no reason for the de facto complainant to make such false allegations against the petitioner. There are specific allegations of sexual exploitation under the promise of marriage and also forcing the de facto complainant to indulge in prostitution. The petitioner is a married person and has got two children are not the grounds to grant bail to him under Section 438 Cr.P.C. The matter requires thorough investigation. Release of the petitioner would hinder the investigation and also cause disappearance of the evidence. Viewed from any angle, the petitioner is not entitled for bail under Section 438 Cr.P.C.

In the result, the Criminal Petition is dismissed.

Dr. SHAMEEM AKTHER, J

14th December, 2017.
ssp