

SMT. JUSTICE T.RAJANI

Criminal Petition No.253 of 2018

ORDER:

This petition is filed seeking for grant of anticipatory bail to the petitioner in FIR No.741 of 2017 on the file of Jubilee Hills Police Station, Hyderabad. The offences alleged against the petitioner are under Section 420, 493, 370 IPC, Section 81 of JJ Act and Section 3(2)(v) of SC, ST Prevention of Atrocity Act.

Heard the learned counsel for the petitioner and the learned Public Prosecutor for the respondent.

The learned counsel for the petitioner submits that there is a delay in giving the complaint, with regard to the sale of child, by the *de facto* complainant and hence it can be understood that the same is a concocted version of the *de facto* complainant.

The learned Public Prosecutor submits that the investigation is still at initial stage and that the Police propose to examine the persons involved in the alleged sale of child.

The learned counsel for the petitioner further submits that after the petitioner filed a writ petition before this Court, with regard to the Police harassing and forcing him to marry the *de facto* complainant, *de facto* complainant filed the present complaint.

But the fact that the writ petition was filed with above facts would show that there was a complaint made by the *de facto* complainant, be it oral, and in pursuance of the said complaint, Police have persuaded the petitioner herein to marry the *de facto* complainant and that fact would support the contents of the complaint that was filed by the *de facto* complainant.

Hence, considering the facts and circumstances of the case, this Court opines that it is not a fit case for grant of anticipatory bail to the petitioner and therefore, this petition is dismissed. But, however, the petitioner can obtain regular bail by surrendering himself before the Court below.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

JUSTICE T.RAJANI

Date: 18.01.2018
LSK

