

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.544 OF 2018

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. by the petitioner-accused seeking to quash further proceedings in crime No.207 of 2017 of Chennaraopet police station, Warangal district registered for the offences punishable under Sections 354, 509, 506 IPC and 7 read with 8, 11 (i) read with 12 of the Protection of Children from Sexual Offences Act, 2012.

2. Heard both sides and perused the record.

3. Learned counsel for the petitioner would submit that no incident as alleged in the report lodged with the police on 20.12.2017, had taken place; that the petitioner is an innocent person and falsely implicated in this case at the instance of his rivals, and that continuation of the impugned proceedings is nothing but abuse of process of court, and ultimately, prayed to quash the same.

4. On the other hand, the learned Additional Public Prosecutor opposed the grant of relief sought in the Criminal Petition.

5. The material on record reveals that on 20.12.2017, one Paladugula Rama lodged a report with police stating that she has two daughters; that her younger daughter, aged 13 years, is studying 9th class in Government Zilla Parishad School, Chennaraopet; that on 15.12.2017 evening, the girl returned from school weeping, and when the informant asked the cause therefor, she did not respond, and on the next day, she declined to go to

school but went to school on the force of the informant, and on next two days also, the same thing had happened. It is further stated in the report that on the repeated asking by the informant, the girl disclosed that on 15.12.2017 at about 12.00 noon, the petitioner-accused, who is working as Teacher in the school, misbehaved with her putting his hand on her waist, closed her mouth, uttered vulgar words and dragged her by putting his hand on her breast, and when she requested him not to do so, he threatened her to see her end in the event of disclosing the incident to anybody.

6. There are specific and grave allegations against the petitioner-accused constituting the offences enumerated above. There is no reason for the informant to lodge a false report against the petitioner-accused. It cannot be held that no incident as alleged had taken place and the petitioner is implicated falsely in this case due to differences between him and other staff members of the school. Therefore, continuation of the impugned proceedings would not be abuse of process of Court. There are no circumstances to invoke jurisdiction of this Court under Section 482 Cr.P.C. to consider the request of the petitioner-accused in this petition. The Criminal Petition is devoid of merits and is liable to be dismissed.

7. In the result, the Criminal Petition is dismissed.

DR.SHAMEEM AKTHER, J

DATED: 25 .1.2018
DRK

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25.1.2018

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