

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.2999 of 2018

ORDER:

This petition is filed, under Section 438 of the Criminal Procedure Code, seeking grant of anticipatory bail to the petitioners, who are A1 and A2, in Cr.No.31 of 2018 on the file of the Station House Officer, Begumpet Police Station, Secunderabad. The offences alleged are under Sections 323, 354, 354B, 406, 506 and 509 of the Indian Penal Code.

2. Heard the counsel for the petitioners and the learned Public Prosecutor appearing for the respondent.

3. The allegations against the petitioners are that they went to the house of the defacto complainant, barged inside her house and outraged her modesty.

4. The counsel for the petitioners submits that the second petitioner is a Home Guard and that he was on duty. He relies on the duty passport, which shows that he reported to duty.

5. But in the considered opinion of this Court, the said document cannot be a conclusive proof. It only shows that he attended duty but his presence at the police station throughout the day is not evidenced by the said document. Hence, considering the specific allegations, this Court is not inclined to grant anticipatory bail to the petitioners. However, the petitioners are at liberty to file a petition before the concerned Court having jurisdiction and seek regular bail. On such bail petition being filed, the concerned Court shall dispose of the same expeditiously, on merits, on the same day subject to pressure of work.

The criminal petition is dismissed. As a sequel,
the miscellaneous applications, if any pending, shall stand closed.

March 15, 2018
DSK

T. RAJANI, J

