

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.7515 OF 2018

ORDER:

In this petition filed under Sections 437 and 439 Cr.P.C, petitioner/accused seeks for regular bail in Crime No.86 of 2018 of Narsampet Town Police Station, Narsampet, Warangal District, registered for the offences under Sections 363, 366-A, 376(2)(n), 376(3) of IPC and Section 5(1) r/w 6 of POCSO Act, 2012.

2. The brief facts of the FIR are that the defacto complainant has younger daughter, aged 14 years and she was attending coolie works. On 24.07.2018, the complainant's daughter went to Narsampet for purchasing clothes and did not return home and therefore, they searched for their daughter in the houses of the relatives. On 29.04.2018 evening, their daughter came to their house and informed that on 27.04.2018 afternoon at about 12.00 hours when she was near Narsampet Bus Stand, the accused went near her and saying that he would marry her and under that guise, he took her to Hyderabad Hightech City to the house of his uncle where in the mid night, he forcibly had sexual intercourse with her and on the next day morning, the accused took her to his cousin sister's house at Hanamkonda and on that night also, he had forcible sexual intercourse with her and on the next day morning, the accused promised

that he would tie 'Taali' to her and marry her. Upon which, she refused and somehow managed to escape and came to their house. The investigation is reported to be pending.

3. Denying the allegations, bail is pleaded for mainly on the submission that the accused has been in custody since 04.05.2018 and investigation is almost completed and filing charge sheet is only a formality.

4. Learned additional public prosecutor opposed the bail application stating that the investigation is still under way and medical report and FSL report are yet to be received. A perusal of the CD file shows LWs 1 to 14 were examined. It appears from the CD file that the medical report and FSL Report are being awaited. As can be seen, the investigation is still pending and not completed. The allegations being the grave, and investigation is in continuance, it is not a fit case to grant bail at this stage. The petitioner can renew his bail application after filing of the charge sheet.

5. Accordingly, this criminal petition is dismissed. Miscellaneous petitions, if any, pending in this case stands closed as a consequence.

U.DURGA PRASAD RAO, J

26.07.2018
SS