

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Criminal Petition No.8847 of 2018

ORDER :

The petitioner is sole accused of Cr.No.582 of 2018 of Hayathnagar Police Station, Pachakonda Commissionerate, Ranga Reddy District, registered for the offences punishable under Sections 417, 376 IPC and under Section 3(2)(v) of Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act (for short, the Act').

Heard the learned counsel for the petitioner and the learned Public Prosecutor for the respondent-State and perused the bail application averments, First Information Report and other material on record.

A perusal of the FIR clearly shows that the defacto-complainant aged about 20 years belongs to Scheduled Caste known to the accused of the same area for the past 8 years and out of their acquaintance, he lured her under the pretext of love and with a promise to marry her got her willingness for marriage and started to take her to cinemas and outing therefrom. It was while so, on 20.07.2018 at about 12 noon when she was working in the Jasmine grove, the accused having come there, despite her unwillingness, compelled her and had sexual intercourse. It is after that he denied to marry her and thus exploited her sexually under the love and with a promise to marry her. It is therefrom on the report dt.14.08.2018 the crime is registered.

No doubt there is a delay of 23 days to the occurrence from the report as is not an outright rape by a person knowingly or unknowingly to immediately report it to the police but in fact it is out of love affair from the same area person who lured her and had sexual intercourse

against her will under the pretext of love and a promise to marry and after that he refused to marry her from which she had constrained to report thereby the delay is no way fatal for that is not a ground to grant even regular bail.

In the result, the Criminal Petition is dismissed. Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 29.08.2018
b/o.
Vvr

