

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11417 OF 2018

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.1, for grant of bail in Crime No.195 of 2018 of Kothapeta Police Station, East Godavari District, registered for the offences punishable under Section 366-A read with 34 of IPC and Section 11 read with 12 of POCSO Act.

2. Heard the learned counsel for the petitioner/A.1 and the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The learned counsel for the petitioner/A.1 would submit that the petitioner/A.1 is an innocent person and falsely implicated in this case and ultimately, prayed to allow the petition.

4. The learned Additional Public Prosecutor for the State opposed the grant of bail to the petitioner/A.1 and ultimately, prayed to dismiss the petition.

5. As per the material placed on record and the submissions made, the victim was found in the company of the petitioner/A.1. She is under 18 years of age. Therefore, it cannot be said that the allegations do not constitute the offence punishable under Section 366-A read with 34 of IPC and Section 11 read with 12 of POCSO Act. The allegations are grave. It is not a fit case to allow the petition under Section 438 Cr.P.C.

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

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

DR. SHAMEEM AKTHER, J

Date: 15.11.2018
ssp