

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11936 OF 2018

ORDER:

This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused for grant of bail in Crime No.716 of 2018 of Meerpet Police Station, Vanasthalipuram, Rachakonda District, registered for the offences punishable under Sections 376 (1), 366-A and 342 IPC and Section 3 read with 4 of the POCSO Act, 2012.

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

3. Learned counsel for the petitioner/accused would contend that the averments made in the First Information Report are false; that the petitioner/accused did not commit the offence of sexual intercourse with the victim and he is not responsible for her wrongful confinement and ultimately prayed to allow the bail application.

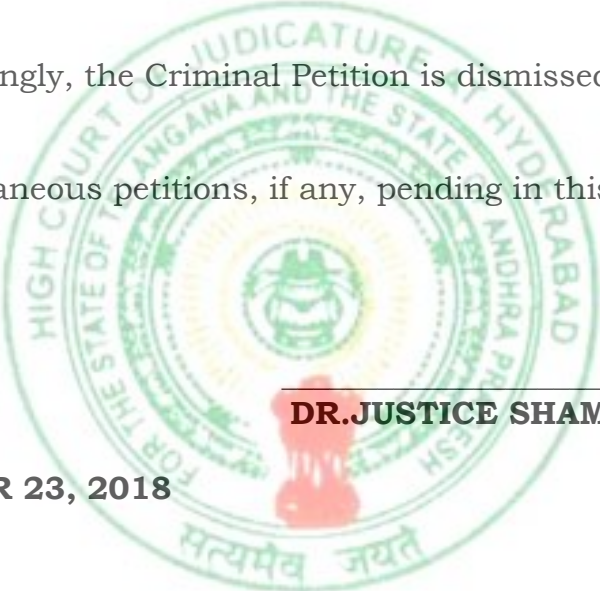
4. Learned Additional Public Prosecutor opposed the grant of bail to the petitioner/accused.

5. As per the material placed on record, the victim and the petitioner/accused were chatting for a considerable period over phone. The victim was called by the petitioner to Sagar Ring Road, Hyderabad, on 23.08.2018 and 24.08.2018 and thereafter, he took her to a lodge, where he forcibly committed sexual intercourse with her against her wish and will under threat. There is also allegation

of wrongfully confining the victim in the brother-in-law's house of the petitioner/accused. The allegations are heinous. As per the record, the victim is aged about 16 years. On a report given by father of the victim, this case is registered for the offences stated above and the investigation is in progress. The statement made by the victim is also corroborating the allegations made in the First Information Report lodged by her father. The allegations are grave and specific. Release of petitioner/accused on bail would hinder the investigation. There is possibility of threatening the witnesses. It is not appropriate to allow the application at this stage.

6. Accordingly, the Criminal Petition is dismissed.

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



DR.JUSTICE SHAMEEM AKTHER

NOVEMBER 23, 2018
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Date: 23.11.2018

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