THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.12674 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.239 of 2018 of Adilabad I Town Police Station, Adilabad District, registered for the offences punishable under Sections 420, 417, 354-A, 376(2)(f)(n) of IPC and Section 67 of I.T. Act, 2000.

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

3. Learned counsel for the petitioner/accused would submit that the petitioner is falsely implicated in this case. The *de facto* complainant is a married woman. There is a delay in lodging the report. The petitioner did not indulge in any sexual act with the *de facto* complainant and ultimately, prayed to allow the petition.

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

5. The report dated 18.09.2018 lodged by the *de facto* complainant reveals that in the year 2015 she completed B.Com., Computers. In the year 2017, to enhance her skill in computers, she joined in Skill Pro Institute, Nana Patel College, where she got acquaintance with the accused, who was a faculty member in Computer Science. The accused moved with the *de facto* complainant friendly, appreciated her beauty, promised to marry her and committed sexual acts repeatedly and thereafter, the accused

refused to marry the *de facto* complainant. Then the *de facto* complainant married one Sama Bhaskar Reddy on 10.05.2018. Thereafter, the petitioner/accused started sending messages to her through mobile phone and demanding sexual intercourse with him and threatened her that he would send the photos to her husband and also place them in 'You tube'. The *de facto* complainant several times requested the petitioner to leave her. Even then, the petitioner/accused sent some of the photos to her husband by whatsapp. Thereafter, the husband of the *de facto* complainant gave divorce to her by executing a bond paper on 28.08.2018. Further, it is also alleged that sexual acts were committed by the accused against the will of the *de facto* complainant. Under these circumstances, it can be concluded that there are specific and grave allegations against the petitioner/accused. The punishment for the alleged offences is stringent. The gravity of offences is high. Even after the marriage of *de facto* complainant, the petitioner/accused made several attempts to get his sexual desires fulfilled and asked the *de facto* complainant to surrender to him. Under these circumstances, there is *prima facie* case against the petitioner/accused. Therefore, the petition does not merit any consideration.

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

DR. SHAMEEM AKTHER, J

Date: 05.12.2018
ssp