

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.91 OF 2019

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.388 of 2018 of Ameenpur Police Station, Medak District, registered for the offences punishable under Sections 448, 376(2)(i) of IPC and Section 4 of 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 initially the FIR was issued for the offences under Sections 354, 448 of IPC and Section 8 of POCSO Act, 2012 and later, Section 354 of IPC was altered to Section 376(2)(i) of IPC. The entire investigation was completed and ultimately prayed to allow the petition.

4. Learned Additional Public Prosecutor representing the respondent/State opposed the grant of bail to the petitioner/accused and ultimately, prayed to dismiss the petition.

5. The victim is 15 years old and is studying 10th class. It is alleged that forcible sexual intercourse was committed against her by the accused. There is medical record to substantiate the same. The victim is aged 15 years, the allegations made against the petitioner/accused are heinous and the gravity of offence is high. It is not appropriate to enlarge the petitioner on bail at this stage as investigation is in progress.

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

DR. SHAMEEM AKTHER, J

Date: 31.01.2019
ssp

