

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3867 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C'), is filed by the petitioners/Accused Nos.2 and 3 for grant of anticipatory bail in the event of their arrest in connection with Crime No.125 of 2019 of Gangadhara Police Station, Karimnagar District, registered for the offences punishable under Sections 376 (2) (n), 417, 420 and 506 read with 109 I.P.C and Section 5 read with 6 of the POCSO Act, 2012.

2. Heard learned counsel for the petitioners/Accused Nos.2 and 3 and the learned Additional Public Prosecutor representing the respondent/State. Perused the record.

3. The allegation against the present petitioners is that they abetted accused No.1, who is their son, to commit the offence of rape on the victim girl, who is daughter of *de facto* complainant; that though the petitioners have promised to perform the marriage of the victim girl with accused No.1, kept the victim girl in their house for about one year and thereafter, they performed another marriage to accused No.1 and thereby, cheated the victim girl and her mother even after receipt of a sum of Rs.1,60,000/-.

4. Learned counsel for the petitioners/accused Nos.2 and 3 would submit that the petitioners have been falsely implicated in this case; that the only allegation levelled against these petitioners is that they kept the victim girl in their house for about one year and except that there is no other allegation against these

petitioners; that there is a delay in lodging the report; the petitioners are doing labour work and they are nothing to do with the alleged offences and hence, he prays to grant bail to the petitioners.

5. Learned Additional Public Prosecutor opposed the grant of the bail to the petitioners/accused Nos.2 and 3.

6. A perusal of the Remand Case Diary shows that there is specific allegation against these petitioners/accused Nos.2 and 3 that they kept the victim in their house for about one year in order to perform her marriage with accused No.1 and the *de facto* complainant also gave a sum of Rs.1,60,000/- to accused No.1 and petitioners to look after her daughter well. It is alleged that subsequently, the petitioners necked out the victim girl from the house and performed marriage to accused No.1 with another girl.

7. Since the allegations levelled against the petitioners are grave in nature, I am not inclined to grant bail to the petitioners.

8. Accordingly, the Criminal Petition is dismissed.

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

JULY 17, 2019
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Date:17.07.2019

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