

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4746 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 to 6 for grant of anticipatory bail in the event of their arrest in connection with Crime No.161 of 2019 of Chityal Police Station, Nalgonda District, registered for the offences punishable under Sections 376 (2) (i), 323 and 506 read with 34 I.P.C and Section 5 (1) (n) read with 6 of the POCSO Act.

2. Heard learned counsel for the petitioners/Accused Nos.2 to 6, and the learned Additional Public Prosecutor representing the respondent-State. Perused the record.

3. The case of the prosecution is that the complainant has four daughters and one son. Among them, his 2nd daughter by name Sumalatha marriage was performed with accused No.1 and as she was suffering from health problems, accused No.1 requested the complainant to send his younger daughter by name Anusha for helping her sister; that believing the words of accused No.1, the complainant sent his younger daughter to accused No.1's house; that there accused No.1 forced Anusha to participate in the sexual intercourse by threatening to kill her and her sister Sumalatha; that due to fear, she did not inform the same to his father and on 12.06.2019 at about 8:00 AM, accused No.1 came to the house of the complainant and asked her younger to come out of the house otherwise, he would kill her and her sister, at that the his younger daughter informed the incident to his father, who in turn asked

accused No.1 and on that accused No.1, parents and his sisters came to the house of complainant, abused and beat his daughter Anusha. Due to which, Anusha felt insulted and committed suicide by pouring kerosene and set ablaze herself and subsequently she succumbed to injuries on 16.06.2019 while undergoing to treatment.

4. Learned counsel for the petitioners/accused Nos.2 to 6 would submit that accused No.1 is residing separately with his wife and family members and these petitioners are nothing to do with the alleged offence; that there is no allegation whatsoever in the complaint against these petitioners; that petitioner Nos.1 and 2 are parents of accused No.1 and absolutely have no knowledge about the incident or the acts done by accused No.1; that except conducting panchayat, there is no allegation against these petitioners and they have been falsely implicated in this case and hence, he prays to grant bail to the petitioners.

5. Learned Additional Public Prosecutor opposed the grant of bail to the petitioners/accused.

6. As seen from the contents of the First Information Report, there are specific allegations against these petitioners. On 12.06.2019 at about 11:00 AM accused No.1 along with the petitioners went to the house of the complainant, abused and assaulted his younger daughter Anusha, due to which she felt insulted, poured kerosene and set ablaze herself and subsequently she succumbed to injuries on 16.06.2019.

7. The allegations levelled against the petitioners are grave in nature. Thus, looking into nature of allegations and the involvement of the petitioners in the commission of offence, this Court is not inclined to grant bail to the petitioners. However, if the petitioners/Accused Nos.2 to 6 surrenders before the Court concerned within fifteen (15) days from today and moves an application for grant of bail, the same may be decided by the Court concerned in accordance with law.

8. With the above observation, the Criminal Petition is dismissed.

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

JUSTICE G SRI DEVI

AUGUST 14, 2019
YVL

THE HONOURABLE JUSTICE G. SRI DEVI



CRIMINAL PETITION No.4746 OF 2019

Date:14.08.2019

YVL