

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5365 of 2019

ORDER:

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioner/A3, seeking anticipatory bail in Crime No.194 of 2019 of Manuguru Police Station, Bhadradri-Kothagudem District, registered for the offences punishable under Sections 366 (A), 342, 376 (2) (i) r/w 109 IPC and 6 and 17 of POCSO Act.

2. The case of the prosecution is that the father of the victim girl made a complaint on 19.07.2019 at about 14.30 hours before the police alleging that his daughter aged about 17 years completed nursing course in vocational. It is further alleged that when he returned home after attending night duty, his wife found that his daughter-Swapna was found missing. The victim was trapped and also fell in love with Prabhakar-A1, who is brother of the petitioner. It is further alleged that when the victim was in 7 months pregnancy, A1 refused to marry her. Basing on the complaint, police registered a case for the above offences.

3. Heard learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing for respondent-State.

4. Learned counsel for the petitioner contends that the petitioner is an innocent person and she was falsely implicated in this case and she has not committed any offence, much less the alleged offence. He further submits that on the face of the allegations made in the complaint, no case is made out against the petitioner and the petitioner is nothing to do with the alleged love affair between the victim and A1 and as such, implicating the relatives particularly the petitioner, who is the sister of A1 is not justified. He further submits that the offence under Section 366 IPC or other Sections will not attract against the petitioner. He further submits that the entire investigation in this case is completed. The petitioner is a lady and law abiding citizen having two children and old age parents.

5. On the other hand, the learned Additional Public Prosecutor opposed the relief sought in the above petition.

6. As seen from the contents of the complaint, it is evident that the petitioner was also studying with the victim in the same collage and the petitioner now and then took the victim to her house and introduced victim to her brother who is A1 in this case and also insisted the victim to love her brother and on the active instigation of the present petitioner, A1 used to follow the victim stating that he would marry her and finally the victim was trapped by

A1 and she fell in love with A1. There are specific allegations that the petitioner introduced the victim girl to fell in love with A1, who is her own brother.

7. Taking into consideration the nature of allegations made against the petitioner and also keeping in view the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions, if any pending shall stand closed.

DATED: 11.09.2019.

Hsd

JUSTICE G. SRI DEVI



