

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5553 of 2019

ORDER :

Petitioners, who are A4 to A6 in Cr.No.50 of 2019 on the file of the S.H.O. Jagadevpur Police Station, Siddipet District, registered for the offences punishable under Sections 376-D, 366-A and 386 IPC and 5 (1), 6 of POCSO Act, 2012 and 3 (2) (v) of SCs& STs (PoA) Act, 1989, filed this petition under Sections 437 and 439 Cr.P.C. seeking regular bail.

2. Heard learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent State.

3. Learned counsel for the petitioners submits that the petitioners are innocent persons and they are no way connected with the alleged offences and after due consultation and deliberations, the petitioners were falsely implicated in this case. He further submits that even though the names of the petitioners were not shown in the complaint by the complainant, but subsequently the petitioners names were shown in the remand report and as well as in the charge sheet. He further submits that the petitioners are in custody since 18.05.2019. He further submits that the entire investigation is completed and all the material witnesses have been examined and the charge sheet was also filed, as such, question of influencing the

witnesses does not arise. He further submits that the petitioners are ready to abide by the conditions imposed by this Court. He further submits that the petitioners are law abiding citizens having movable and immovable properties in the addresses given in the cause title. He further submits that the petitioners are also ready to furnish sufficient sureties to the satisfaction of the Court, if they are released on bail. Hence, he prays to grant bail to the petitioners.

4. On the other hand, the learned Additional Public Prosecutor representing the State vehemently opposed the bail application.

5. As seen from the contents of the remand report, there are specific allegations against the present petitioners that the 1st petitioner-A4 along with A1 to A3 fulfilled their sexual desire with L.W.1-Gurram Kalyani at different places and when they used to drop her at Rayavaram village. L.Ws.2 to 5 have seen them and tried to catch them, but they escaped from there along with L.W.1 and went to Mandava Gopaiah Garden at Gajwel. Then again, A1, A2 and A4 fulfilled their sexual desire with L.W.1. Thereafter, A1 called A5 and A4 called A6 to the Garden, and A5 and A6 also committed rape on her forcibly when she was in tipsy mood/drowsiness.

6. Thus, looking into the nature of allegations leveled against the petitioners and their involvement in the crime, I am not inclined to grant bail to the petitioners.

7. Accordingly, the Criminal Petition is dismissed.

JUSTICE G. SRI DEVI

DATED: 14.10.2019.

Hsd



