

HON'BLE JUSTICE G. SRI DEVI

Criminal Petition No.5791 of 2019

ORDER:

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioner/Accused, seeking anticipatory bail in Crime No.1129 of 2018 on the file of the Station House Officer, KPHB Cyberabad, registered for the offence punishable under Sections 417, 420 and 376 of IPC.

The contents of the complaint of the defacto-complainant are that in the month of June, 2016 when she came to Hyderabad in search of employment, she stayed in house of one Nagesh who is known to her and later she shifted to Sai Madhuri ladies hostel at Addagutta where the petitioner got acquaintance with her through one named Chanti and started talking to her through phone and thereafter proposed her for marriage for which she denied initially but later he lured her and made her to believe him on false promise to marry her and came to Hyderabad from Delhi and used to meet her at her hostel. Thereafter both took a room at EWS 186, Vijaya Lakshmi Nilayam, Road No.2, KPHB by making the owners believe that they are husband and wife, where the petitioner, under the pretext of marriage, had sexual intercourse with her and after some period in the month of October, 2018 she shifted to another room i.e. EWS 180, Road No.2, KPHB where she realized that she was pregnant, on that the petitioner took her to Land mark hospital, got aborted the pregnancy and thereafter he denied to marry her and absconded.

Heard learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioner contends that the defacto-complainant is originally a resident of Kadium village, East Goadavri district, and related to the petitioner's family and in view of the same, the petitioner's brother named Nagesh gave shelter in their house in Kukatpally for a limited period until she could find a job but due to her illicit relationship came into light after sometime, as they asked to search for another house, she shifted to hostel and her rental expenses were also borne by the petitioner's family as she being their relative. It is further submitted that in fact, the petitioner resides in Delhi preparing for UPSC examination and it is the defacto complainant, who hatched an evil plan to extract money from the petitioner's family, started making malicious attempts to reach the petitioner and tried to lure him into a relationship but the petitioner never obliged and thereafter out of grudge, she started harassing him to marry her and threatened him with dire consequences. The petitioner is innocent and no way concerned with the above case and is falsely implicated in the case. He belongs to a reputed family with good image in society. It is further contended that the petitioner is ready to abide by any of the conditions imposed by this Court and would cooperate with the investigation, if he is released on anticipatory bail in the event of his arrest in connection with the aforesaid crime.

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

As seen from the contents of the remand report, there are specific allegations against the petitioner that he was having illicit affair with the defacto-complainant and used to stay as husband with her in a house at KBHP colony and when the defacto-complainant became pregnant, he took her to Land mark hospital and after confirmation, got the pregnancy aborted and thereafter denied to marry her.

Thus looking into the nature of allegations, involvement of the petitioner in the crime and gravity of the offences, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the Criminal Petition is dismissed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE G. SRI DEVI

23.09.2019.
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Dt.23.09.2019

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