

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.7848 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/A1, seeking to grant anticipatory bail in Cr.No.223 of 2019 on the file of Adilabad I Town Police Station, Adilabad District, registered for the offences under Sections 417, 420 and 376(2)(n) IPC and under Section 3(1)(w)(i) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.

2. Heard learned counsel for the petitioner/A1, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The case of the prosecution is that the de-facto complainant, who was working as Staff Nurse, has got acquaintance with the petitioner/A1 through her friend and that A1 used to make phone calls to her and induced her that he loved her and he would marry her, and later, he visited her rented house and had sexual intercourse forcibly and when she asked him for marriage, he refused to marry her saying that she belongs to Scheduled Caste community and during panchayat also, the petitioner refused to marry her, thereby cheated her.

4. Learned counsel for the petitioner/A1 submits that the petitioner is an employee in Northern Power Distribution Corporation Limited, Adilabad, and with an intention to marry him, the de-facto complainant has foisted this false case against him. He further

submits that the petitioner never developed any such intimacy with her and never promised to marry her. He further submits that if the petitioner is arrested, he will lose his job and that he shall abide by any condition imposed by this Court.

5. Learned Additional Public Prosecutor opposed the relief sought in the petition.

6. As seen from the contents of the FIR, there are specific allegations against the petitioner that on a false promise of marriage, he visited the rented room of the de-facto complainant and had sexual intercourse forcibly and he took her to his locality at Kailashnagar and also forced her to leave her job, and after fulfilling his physical lust, he used to postpone the marriage and later, he refused to marry her on the ground that she belongs to Scheduled Caste Community and in the presence of elders also, he refused to marry her and left the place, and that A2 threatened her that he will kill her if she comes towards his brother-A1. Thus, in view of the nature of allegations leveled against the petitioner and his involvement in the crime and other facts and circumstances, I am not inclined to grant anticipatory bail to him and his prayer for anticipatory bail is refused.

7. Accordingly, the Criminal Petition is dismissed.

8. Miscellaneous applications, if any pending in this criminal petition, shall stand dismissed.

G. SRI DEVI, J

11th December, 2019
sj