

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.13988 of 2018

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.2, A.3 & A.5, for grant of anticipatory bail in Crime No.461 of 2018 of Ibrahimpatnam Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 354, 324 and 504 read with 34 of I.P.C.

2. Heard the learned counsel for the petitioners/A.2, A.3 & A.5, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The learned counsel for the petitioners/A.2, A.3 & A.5 would contend that the petitioners/A.2, A.3 & A.5 are innocent persons and falsely implicated in this case. They are not responsible for any beating or stone pelting. Due to enmity, they are roped in this case and ultimately prayed to allow the application.

4. On the other hand, the learned Additional Public Prosecutor opposed for grant of anticipatory bail to the petitioners/A.2, A.3 & A.5.

5. A report lodged by the de-facto complainant-P.Sabitha, dated 19.10.2018, reveals that A.1 and A.4 in this crime abused the de-facto complainant in filthy language while she was playing Dhandiya along with other women in her village on the occasion of Dasara festival. A.1 in this crime caught hold the de-facto

complainant, pulled her and dragged her on the road with an intention to outrage her modesty. When the husband of the de-facto complainant interfered, he was also beaten by A.1 and A.4 with stones on his head causing bleeding injuries. There is specific mention in the report lodged with the police that the petitioners/A.2, A.3 & A.5, along with A.1 and A.4, beat the husband of the de-facto complainant and her relatives with sticks and caused bleeding injuries. There are specific overt acts against the petitioners/A.2, A.3 & A.5. The allegations levelled against them are grave. It is not a fit case to grant bail to the petitioners/A.2, A.3 & A.5 under Section 438 of Cr.P.C.

6. Hence, the Criminal Petition is dismissed.

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

Dr. SHAMEEM AKTHER, J

02nd January, 2019
Bvv