

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.8674 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/accused, seeking to grant anticipatory bail in Cr.No.785 of 2019 on the file of Jawaharnagar Police Station, Rachakonda District, registered for the offences under Sections 354, 354(a), 448 IPC and under Section 11 read with Section 12 of POCSO Act, 2012.

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

3. The case of the prosecution is that on 10.11.2019 at 21.30 hours, the accused came to the house of the de-facto complainant and wished her as happy birthday by holding her hand, and when she rescued from him, he caught hold of her tuft and closed her mouth, and on seeing her father, he fled away from the spot.

4. Learned counsel for the petitioner/accused submits that a false complaint is filed against the petitioner under the guise of the family members of the de-facto complainant, who allegedly attacked him and caused grievous injuries, and in order to escape from the case in Cr.No.810 of 2019 filed by him against them. He further submits that the petitioner never committed the alleged act on the de-facto complainant and he never involved any offence much less the alleged offence. He further submits that the petitioner is ready to

furnish sufficient sureties to the satisfaction of the Court and he shall cooperate with the investigation and shall abide by any condition imposed by this Court.

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

6. As seen from the contents of the FIR, there are specific allegations against the petitioner/accused that when the victim was closing the gate of her house, the accused came there and wished her as happy birthday by holding her hand and when she removed his hand forcibly, he caught hold of her tuft and closed her mouth, and on seeing her father, he jumped the wall and escaped from the premises. Thus, in view of the nature of allegations leveled against the petitioner, I am not inclined to grant anticipatory bail to him and his prayer for anticipatory bail is refused. However, if the petitioner/accused surrenders before the Court below within 15 days from today and moves an application for bail, the Court below shall consider the same in accordance with law, after giving due notice to the Public Prosecutor.

7. With the above direction, the Criminal Petition is dismissed.

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

G. SRI DEVI, J

7th January, 2020.

sj