

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 1170 OF 2022

O R D E R:

This Criminal Petition under Section 438 Cr.P.C. is filed by the petitioner – Accused seeking bail in the event of his arrest in connection with Crime No. 202 of 2021 on the file of Manthani Police Station, registered for the offences punishable under Sections 307 and 354(A) IPC.

2. The case of the prosecution is that the 2nd respondent lodged a telugu-written report on 09.08.2021 alleging that at around 10.40 hours, he came to his house after completion of agricultural work and on hearing cries, he entered into the house where the petitioner was forcibly trying to make physical contact with his daughter Eluvaka Sandhya Rani (victim), aged about 17 years. It is further alleged that when the victim tried to resist, the petitioner forcibly tried to make her drink poison. It is also alleged that the 2nd respondent tried to beat the accused, but it caused blood injury on the head of his daughter. It is stated in the report that the petitioner and the 2nd respondent have disputes on the issue of electrical pole situated near their house.

3. Learned counsel for the petitioner Sri P. Shravan Kumar submits that initially, crime was registered for the offences under Sections 307, 354(A) IPC. and Section 8 of POCSO Act. He submits that as the victim was aged above 18 years, Section 8 of the POCSO Act was deleted. He further

submits that in the complaint itself, it is stated that there are disputes with regard to transformer and in view of the same, the petitioner committed the alleged offence. Learned counsel submits that at one stretch, it is stated that the petitioner was trying to molest the victim and on the other hand, it is stated that the petitioner forcibly tried to make the victim drink poison. Learned counsel submits that the petitioner and the victim are in love and both are majors. He submits that as the 2nd respondent belongs to Upper Caste, the said proposal of marriage is not acceptable to him and on that, a false case is foisted against the petitioner, hence, his case may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor submits that investigation is going on and so far, seven witnesses were examined and Section 164 Cr.P.C. statement of the victim is recorded. He submits that in view of the allegations in the report, the petitioner is not entitled for grant of pre-arrest bail.

5. Taking into consideration the fact that already Section 164 Cr.P.C. statement is recorded and in the report also, as it is stated that certain disputes are pending between the parties with regard to transformer, this Court deems it appropriate to grant pre-arrest bail to the petitioner.

6. This Criminal Petition is therefore, allowed. Petitioner – Accused shall surrender before the Station House

Officer, Manthani Police Station in connection with Crime No. 202 of 2021 within one week from today and on such surrender and executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, he shall be released on bail. It is made clear that no further extension of time will be granted.

17th February 2022

LALITHA KANNEGANTI, J

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