



Crl.O.P.No.13320 of 2023

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A.D.JAGADISH CHANDIRA, J.,

The petitioner, who apprehends arrest at the hands of the respondent/ Police for the offences punishable under Sections 294(b), 417, 376 and 506(i) of IPC in Crime No. 20 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant xxxx is that on 16.03.2023 when she had gone to attend nature's call, her relative had forcibly pushed her down and when she attempted to run away, the accused had raped her and also threatened her not to disclose the incident to anybody. Hence the complaint.

3. Learned counsel for the petitioner would submit that the petitioner and the defacto complainant are relatives. He would further submit that due to previous enmity, a false complaint has been given as against the petitioner and he has not committed any offence as alleged by the prosecution. He would further submit that there is a consensual relationship between the petitioner and the defacto complainant. Hence, he would seek grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side)



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appearing for the respondent would submit that admittedly the defacto complainant and the petitioner are relatives. He would further submit that when the defacto complainant had gone to attend nature's call, the petitioner had forcibly pushed her down and when she attempted to run away, the accused had raped her against her will and also threatened her not to disclose the same to anybody. He would further submit that the manner in which the offence had been committed, does not show that there was a consensual relationship between them. Hence, he vehemently opposed to grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the serious nature of offence, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

26.06.2023

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A.D.JAGADISH CHANDIRA, J.



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