

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

FRIDAY, THE SIXTEENTH DAY OF MARCH,
TWO THOUSAND AND EIGHTEEN

:PRESENT:

THE HONOURABLE SMT JUSTICE T. RAJANI

CRIMINAL PETITION NO: 2934 OF 2018

Between:

B. Rajitha, D/o B. Babu,

Petitioner/Accused No. 4

AND

The State of Andhra Pradesh, rep by S.H.O., Women U/G Police Station,
Kadapa, through Public Prosecutor,, High Court at Hyderabad,
For the State of Telangana and Andhra Pradesh

Respondent/Respondent

Petition under Section 438 of Cr.P.C, praying that in the
circumstances stated in the memo of grounds filed herein, the High Court
may be pleased to enlarge the petitioners/A4 in the event of his arrest in
Cr.No. 03/2018 on the file of women U/G. P.S. Kadapa District.

The petition coming on for hearing, upon perusing the Petition and
the memo of grounds filed herein, and upon hearing the arguments of Sri S
Chalapathi Rao, Advocate for the Petitioner, and of Public Prosecutor (AP)
for Respondent, the Court made the following

ORDER

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.2934 OF 2018

ORDER:

This petition is filed seeking for grant of anticipatory bail to the petitioner, who is A4, in Crime No.03 of 2018 on the file of Women U/G Police Station, Kadapa. The offences alleged are under Sections 498(A), 506 r/w 34 of IPC and Sections 3 and 4 of Dowry Prohibition Act.

2. Heard the counsel for the petitioner and the Public Prosecutor appearing for the respondent.

3. The allegation against this petitioner is that she had illicit intimacy with the husband of the defacto complainant. Hence, *prima facie*, the said act does not attract the offences alleged.

4. Hence, considering the above facts, this court opines that this is a fit case for granting anticipatory bail.

5. Accordingly, the Criminal Petition is allowed. The petitioner is directed to surrender before the Station House Officer, Women U/G Police Station, Kadapa, within 15 days from the date of this order. On such surrender, the petitioner shall be released on bail on her executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer. Further, on

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such release, the petitioner shall abide by the conditions mentioned under Section 438(2) Cr.P.C., as under:

- (i) The petitioner shall make herself available for interrogation by a police officer as and when required.
- (ii) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) The petitioner shall not leave India without the previous permission of the Court.

As a sequel, miscellaneous petitions pending consideration, if any, in this case shall stand closed.

//TRUE COPY//

Sd/- T.YAKAIAH
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To,

1. The Station House Officer, Women U/G Police Station, Kadapa, Kadapa District
2. Two CCs to Public Prosecutor (AP), High Court, Hyderabad (OUT)
3. One CC to Sri S. Chalapathi Rao, Advocate (OPUC)
4. One spare copy

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HIGH COURT

TR,J

DATED:16/03/2018

ORDER

CRLP.No.2934 of 2018

DIRECTION

