

HON' BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7509 of 2018

ORDER:

This criminal petition is filed under Section 438 Cr.P.C. by the petitioner/ A6, seeking release in the event of his arrest in connection with Crime No.64 of 2017 on the file of Women Police Station, Adilabad District, registered for the offences punishable under Sections 496, 493, 313, 506 r/ w 34 I.P.C.

2. Heard learned counsel for the petitioner and learned Public Prosecutor representing the State.

3. A1 is one K.Srikanth. The petitioner by name R.Naresh Reddy is Manager or Compounder of Sanjeevani Hospital, Ichoda Village and Mandal, Adilabad District and as per the very report averments he is friend of A1, A2 and A5 are parents of A1, A3 is brother of A1 and A4 is wife of A3 and A7 is a nurse of Sanjeevani Hospital, Ichoda. The report of the de facto complainant-K.Geetha dated 04.12.2017 in registration of the above crime dated 21.12.2017 reads that she is a divorced woman having 7 years old daughter; that A1 offered to marry her knowing of she is a divorced woman with 7 years old daughter and brought her to Nirmal temple and there the marriage was performed and they resided together in a rental house at Bhuktapur. She became pregnant through A1. When carrying with 2 ½ months, her husband/ A1 taken her to Rama-Ashok Hospital, Adilabad to abort, which she

denied and again he has taken to a hospital at Ichoda, where the Compounder and the Nurse administered medicines and aborted and on the next day brought her to Adilabad and A1 left and not taking care of and the other accused i.e., A2 to A5 are parents and brothers etc., of A1 also harassed her and threatened to do away unless she leaves A1 without any connections. As per the G.D.entry dated 05.12.2017, it appears that A1 and the victim woman referred to counselling to the Family Welfare Committee, Adilabad and it was failed, thereby the crime was registered on 21.12.2017.

4. A1 was no doubt granted regular bail on 03.04.2018 while he was in judicial custody since 02.02.2018 in CrI.MP.No.330 of 2018 by the IV Additional Sessions Judge, Adilabad. The petitioner/A6 went unsuccessful in seeking anticipatory bail earlier in CrI.MP.No.531 of 2018 dated 06.06.2018. The remand report of A1 shows that on 22.11.2017 morning, when the de facto complainant suffered headache and informed her husband/ A1 to bring tablets, who took advantage of it, brought contraceptive pills and given her to swallow from which she swallowed and A1 informed the same to his friend-A6, Compounder of Sanjeevini Hospital, Ichoda. It is, while taking on the pretext to go to his friend's house at Nirmal, in the mid way, taken to the said Hospital, where petitioner/ A6 engaged the services of A7-nurse and she was aborted.

5. From the above, it is the contention of the learned counsel for the petitioner that the petitioner is innocent and the de facto complainant not even admitted in the Hospital much less aborted in the Hospital.

6. From the accusation, it is not a fit case to grant anticipatory bail, even A7 and A1 were granted regular bail and the remedy of the petitioner is left open to seek any such remedy and the observations in this order will not prejudice such right.

7. Accordingly, the Criminal Petition is dismissed.

8. Consequently, miscellaneous petitions, if any shall stand closed.

Date:09.08.2018
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JUSTICE Dr. B.SIVA SANKARA RAO

