

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3868 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C'), is filed by the petitioner/Accused No.3 for grant of anticipatory bail in the event of her arrest in connection with Crime No.95 of 2019 of Dichpally Police Station, Nizamabad District, registered for the offences punishable under Sections 417, 420 and 376 read with 90 I.P.C.

2. Heard learned counsel for the petitioner/Accused No.3 and the learned Additional Public Prosecutor representing the respondent/State. Perused the record.

3. The case of the prosecution is that the deceased Soppari Sujatha and accused No.1 were fell in love with each other. Accused No.1 under false promise of marriage, deceived the deceased, developed close intimacy and physically relationship with her; that due to which the deceased got pregnancy two times and aborted her through medicines with the help of accused Nos.7 to 9; that Accused No.1 also took an amount of Rs.1,10,000/- from deceased and thereafter, he avoided the deceased and accused Nos.2 to 5 denied to get the marriage of the deceased with accused No.1 and later on accused No.1 married accused No.5 without the consent of deceased; that due which, the deceased disgusted with her life and committed suicide by consuming poison. Hence, the complaint

4. Learned counsel for the petitioner/accused No.3 would submit that the petitioner/accused No.3 is an innocent person; that the petitioner is a married woman living with her husband at

Padgal Village; that the petitioner is not present at Koratpally Village where the alleged incident occurred; that except accused No.1, all the accused have been granted regular bail; that the entire investigation is completed in this case; that if the petitioner is arrested and sent to prison, her marriage life will be affected and hence, he prays to grant anticipatory bail to the petitioner/accused No.3.

5. Learned Additional Public Prosecutor opposed the grant of the bail to the petitioner/accused No.3.

6. A perusal of the First Information Report shows that there are specific allegations against the petitioner. On 04.06.2019, the deceased went to the house of accused No.1 at Kortapally village along with L.W.4, who is nephew of the deceased, and questioned about the marriage, upon which accused Nos.1 to 5 necked her out from the house stating that she can do anything, due which the deceased disgusted over the life and committed suicide.

7. Since there are specific allegations against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. However, if the petitioner/accused No.3 surrenders before the Court concerned and moves an application for grant of regular bail, after giving notice to the Public Prosecutor, the same shall be considered by the Court concerned in accordance with law.

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

Miscellaneous petitions, if any, pending in this petition shall stand closed.

JUSTICE G SRI DEVI

JULY 17, 2019
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Date:17.07.2019

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