

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TWENTY THIRD DAY OF APRIL TWO THOUSAND AND

TWENTY ONE

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 2465 OF 2021

Between:

Gouridevi Usharani, W/o Janaiah.

Petitioner/Accused No.11

AND

The State of Telangana, Through the Station House Officer, Chityal P.S. Rep. by
The Public Prosecutor, High Court for the State of Telangana.

Respondent/Complainant

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances stated in the Criminal Petition, the High Court may be pleased to enlarge the petitioner/Accused No. 11 on bail in FIR No. 04 of 2021 on the file of Station House Officer, Chityala Police Station, Nalgonda District.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri PASHAM RAVINDRA REDDY, Advocate for the Petitioner, Asst. PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.2465 of 2021

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A11 seeking to grant bail to her in connection with Cr.No.4 of 2021 on the file of Chityal Police Station, Nalgonda District, registered for the offences punishable under Section 120-B, 313 read with Section 34 IPC and under Sections 23, 23(3) read with Section 24 of PCPNDT Act and under Section 15(2)(b) of Indian Medical Council Act, 1956.

2. Heard learned counsel appearing for the petitioner/A11, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. It is alleged in the complaint that on 03.01.2021 at 17.30 ours, the de-facto complainant gave a complaint stating that all the accused have been illegally conducting ultrasound scanning for several women to find out the sex of the baby in the womb and if they know as the baby in the womb is female, then they were causing abortions and working as a group in the illegal business.

4. Learned counsel for the petitioner/A11 submits that the petitioner has been falsely implicated in the present crime and that the allegations made in the complaint as well as the remand case dairy are totally false and baseless. He further submits that the petitioner is a housewife and she is no way concerned with the activities or affairs of Poojitha Hospital at Choutuppal. He further submits that basing on the alleged confessions of A1 to A3, the police have implicated the petitioner in the present crime without any specific overt acts against her. He further submits that some of the accused have already been enlarged on bail and as such, her

application for bail may be considered on the ground of parity. He also submits that the petitioner is a law abiding citizen and she is ready to abide by any condition imposed by this Court in the event of her enlargement on bail.

5. Learned Assistant Public Prosecutor though opposed the bail application, but conceded to the fact that most part of the investigation is completed, except filing of the formal charge sheet.

6. Having regard to the facts and circumstances and looking into the nature of allegations leveled against the petitioner/A11 and the fact that most part of the investigation is completed and some other accused have already been enlarged on bail, without adverting to the merits of the matter, I am inclined to grant bail to the petitioner/A11.

7. The Criminal Petition is allowed and the petitioner/A11 is directed to be released on bail, subject to the following terms and conditions:

- (i) The petitioner/A11 shall be released on bail on her executing a personal bond to the tune of Rs.1,00,000/- (Rupees one lakh only) with two sureties for a like sum each to the satisfaction of the Principal Judicial First Class Magistrate, Ramannapeta.
- (ii) On such release, the petitioner/A11 shall appear before the Investigating Officer on 3rd Saturday of every month between 10.00 AM and 5.00 PM.; till completion of investigation and submission of final report, whichever is earlier.
- (iii) the petitioner/A11 shall appear before the Court concerned personally on each date of hearing till conclusion of trial.
- (iv) the petitioner/A11 shall not indulge in similar type of activities, in future; If she is indulged in similar type of activities in future, liberty granted to her shall stand cancelled automatically and she would be taken into custody forthwith.
- (v) the petitioner/A11 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 fact to the investigating authority.

- (vi) the petitioner/A11 shall not act in any manner which will be prejudicial to fair and expeditious investigation and shall cooperate with the investigating agency.
- (vii) the petitioner/A11 shall not misuse the liberty granted to her.

8. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

//TRUE COPY//

SD/- R. KARTHIKEYAN
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Prl. Judicial First Class Magistrate, at Ramannapet.
2. The Superintendent, Central Prsion, Nalgonda.
3. The Station House Officer, Chityal P.S. Nalgonda District.
4. One CC to SRI PASHAM RAVINDRA REDDY Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad.
6. One spare copy

mvj

HIGH COURT

GSD,J

DATED:23/04/2021



ORDER

CRLP.No.2465 of 2021

BAIL