

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.8510 OF 2021

ORDER:-

This petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking pre-arrest bail to the petitioner/accused in the event of his arrest in connection with Crime No.208 of 2021 of Zaheerabad Town Police Station, Sangareddy District, registered for the offences punishable under Sections 493 and 420 of the Indian Penal Code, 1860 (for short 'IPC').

2. The case of the prosecution is that a complaint was lodged by the *de facto* complainant stating that her marriage was performed with the accused about 19 years back and they blessed with five sons and two daughters. Since three years, her husband is not coming to the house. On enquiry, she came to know that her husband was already married before her and having three children and they were residing at Housing Board Colony, Zaheerabad. Her husband went to his native place at Andhra Pradesh for two years and after returning he was staying with his first wife. At present, she is facing tough situation for livelihood and her husband is not caring herself and their children. Basing on the said complaint, a case in Crime No.208 of 2021 has been registered.

3. Heard Mr.T.Rahul, learned counsel for the petitioner, and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submits that the petitioner has suffered brain stroke on 25.12.2020 and because of the brain stroke he is semi-

paralyzed. Learned counsel filed a Sick Pass Port issued by the Telangana State Police, Hadnoor Police Station, Ranga Reddy District. He submits that again on 25.10.2021 as the petitioner is suffering from weakness and giddiness, Doctors advised him to take rest. Hence, the petitioner's case may be considered for grant of pre-arrest bail.

5. On the other hand, learned Assistant Public Prosecutor submits that investigation is still pending. Therefore, the petitioner is not entitled for pre-arrest bail.

6. Taking into consideration the health condition of petitioner, this Court deems it appropriate to grant pre-arrest bail to the petitioner.

7. Accordingly, this Criminal Petition is allowed. The petitioner shall be released on bail in the event of his arrest in connection with Crime No.208 of 2021 of Zaheerabad Town Police Station, Sangareddy District, on condition of executing a self bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the Station House Officer, Zaheerabad Town Police Station, Sangareddy District.

Consequently, miscellaneous applications pending, if any, shall stand closed.

LALITHA KANNEGANTI, J

Date :30.11.2021

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