

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.401 OF 2022

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 her arrest in connection with Crime No.8 of 2022 of Asifnagar Police Station, Bhadradi Kohtagudem District, registered for the offences punishable under Sections 420, 406, 494 and 495 of IPC.

2. A report was lodged by the *de facto* complainant stating that the petitioner has concealed her earlier marriages and further she along with her children, under the guise of marriage, committed theft of Rs.32,80,000/- from his locker and when he questioned, they started threatening him and his relatives with dire consequences. Basing on the said report, the present crime is registered.

3. Heard Mr.M.A.Mujeeb, learned counsel for the petitioner, and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submits that petitioner is none other than the wife of the *de facto* complainant and in view of the differences between the petitioner and *de facto* complainant, at the behest of children of his first wife, the present complaint is foisted against the petitioner and her children. He submits that all the allegations are omnibus allegations and there are no specific overt acts against the petitioner. He further submits that the petitioner is a lady and having children, her case may be considered for grant of pre-arrest bail.

5. On the other hand, learned Assistant Public Prosecutor submits that as per the complaint, there are specific allegations against the petitioner that she cheated the *de facto* complainant and several other persons in the name of marriage. He submits that so far one witness was examined and investigation is still pending. In view of the allegations levelled against the petitioner, she is not entitled for pre-arrest bail.

6. Taking into consideration the fact the petitioner is the wife of *de facto* complainant, it appears that there are strained relations between the parties, this Court deems it appropriate to grant pre-arrest bail to the petitioner/accused.

7. Accordingly, the Criminal Petition is allowed. Petitioner/accused shall surrender before the Station House Officer, Asifnagar Police Station, Hyderabad, in connection with Crime No.8 of 2022 within one week from today and on such surrender and executing a personal bond for a sum Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, she shall be released on bail. It is made clear that no further extension of time will be granted. Further, the petitioner shall cooperate with the investigation and she shall appear before the police twice in a month i.e., on 1st and 15th of every month, till completion of investigation.

Miscellaneous applications pending, if any, shall stand closed.

LALITHA KANNEGANTI, J

Date :08.02.2022

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