

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.677 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 petitioners/A.3 and A.5 to A.9 in the event of their arrest in connection with Crime No.95 of 2021 of Urakonda Police Station, Nagarkurnool District, registered for the offences punishable under Sections 313, 363 and 504 read with 34 of IPC.

2. A report was lodged by the *de facto* complainant stating that he married one G.Sunitha. The parents of his wife are not agreed the marriage and accordingly, they approached the police for protection and police advised them to take shelter in the relatives' house for some time. As such, they are taking shelter at the house of his aunt at Rachalapally village. However, on 28.08.2021 at about 1.00 p.m., the parents and brother of his wife came to the house and forcibly took his wife in auto bearing No.TS 06 UB 8214 and kidnapped his wife against her will and at that time she is carrying eight months pregnancy. Basing on the said report, the present complaint is registered.

3. Heard Mr.M.Damodar Reddy, learned counsel for the petitioners, and learned Assistant Public Prosecutor for the respondent-State.

4. Earlier the petitioners moved bail petition before this Court, *vide* Crl.P.No.9734 of 2021 and the same was dismissed by order dated

07.12.2021. This Court, while dismissing the application observed that the photograph of the baby was filed by the petitioners along with this petition, but it was not known whether the baby was alive or dead at present and no information was given by the prosecution to confirm the submission of the petitioners that the *de facto* complainant and his wife were living together and the disputes with the parents of the complainant were settled amicably between them. In the said circumstances and considering the grave allegations against the petitioners, it is considered not a fit case to grant anticipatory bail to the petitioners.

5. Learned counsel for the petitioners submits that the wife of the *de facto* complainant gave birth to a baby boy and *de facto* complainant and his wife are residing together. In view of the same the present petition is moved before this Court. Hence, their case may be considered for grant of pre-arrest bail.

5. Learned Assistant Public Prosecutor, on instructions, submits that the baby boy is alive and both the *de facto* complainant and his wife are residing together.

6. Taking into submissions made by both parties, this Court deems it appropriate to grant pre-arrest bail to the petitioners.

7. Accordingly, this Criminal Petition is allowed. Petitioners/A.3 and A.5 to A.9 shall surrender before the Station House Officer, Urakonda Police Station, Nagarkurnool District, in connection with Crime No.95 of 2021 within one week from today and on such surrender and executing

personal bonds for a sum of Rs.20,000/- (Rupees twenty thousand only) each with two sureties for a like sum each to the satisfaction of the said Station House Officer, they shall be released on bail. It is made clear that no further extension of time will be granted.

LALITHA KANNEGANTI, J

Date :03.02.2022

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