

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.1786 of 2022

ORDER:

This petition is filed under Section 438 of the Code of Criminal Procedure, 1973, seeking bail to the petitioners/A4 and A5 in the event of their arrest in connection with Crime No.12 of 2022 of Khanapur Police Station, Warangal District, registered for the offences punishable under Sections 417, 420, 109, 376 read with 34 IPC.

2. The case of prosecution is that the de-facto complainant has lodged a complaint stating that she has acquaintance with A1 since five years and on the pretext of love and marriage, he had sexual intercourse with her forcibly at her house in the absence of her parents and later also he has committed rape on her at his friend's house at Narasmpeta and also at her sister's house in the absence of inmates. It is stated that all the other accused used to support A1 that they would perform their marriage, but later, when she asked to marry her, A1 refused and threatened her with dire consequences.

3. Learned counsel for the petitioner/A1 Mr. M. Ravindra Babu, submits that the case of the victim is that both A1 and the victim fell in love with each other and also developed physical relationship, which was brought to the notice of A2 to A5 and all of them have stated that as both

of them are in love with each other, they can get married and after that, in spite of several requests made by the victim, they have not responded, as such, she filed the present complaint. He submits that the entire allegations are against A1 alone and the petitioners, who are married sisters of A1, are unconnected with the affairs of A1 and they have been implicated falsely. Learned counsel further submits that as the petitioners are unconnected with the relationship between A1 and the victim, their case may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor submits that the investigation is pending and so far, 12 witnesses were examined and recording of the statement of victim under Section 164 Cr.P.C. is pending.

5. In the entire complaint, the allegations are against A1 and the only allegation against the petitioners is that when A1 refused to marry the victim, they have not supported the victim and in fact they have instigated A1. Taking all these facts into consideration and in view of the allegations levelled against the petitioners, this Court deems it appropriate to grant pre-arrest bail to the petitioners-A4 and A5.

6. The Criminal Petition is allowed. Petitioners – Accused Nos.4 and 5 shall surrender before the Station House Officer, Khanapur Police

Station, Warangal District, in connection with Cr.No.12 of 2022 within one week from today and on such surrender and executing a personal bond for 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. Petitioners shall cooperate with the investigation. It is made clear that no further extension of time will be granted.

4th March, 2022.
sj

LALITHA KANNEGANTI, J