HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 1655 OF 2022

O R D E R:

This Criminal Petition under Section 438 Cr.P.C. is filed by the petitioner – Accused No. 2 seeking bail in the event of her arrest in connection with Crime No. 202 of 2020 on the file of Ramannapet Police Station, registered for the offences punishable under Sections 417, 420, 495, 313, 342, 504, 506, 120-B, 376(2) and 109 read with Section 34 IPC.

2. The case of the prosecution is that on 29.09.2020, at about 20.00 hours, the de facto complainant lodged a report stating that on 21.12.2018, she married Accused No.1 as it is stated that his first wife died. It is stated that during her wedlock, she conceived and local doctors revealed that she was carrying a female child, then, Accused No.1 requested for abortion, but she refused. It is also stated that Accused No.1 stated that his first wife is still alive and he got two female kids through her and he does not need another female child. It is also stated that the de facto complainant refused for the said request, then Accused No.1 and his first wife Accused No.2 came to her house and threatened to give birth only to a male child.

3. Learned counsel for the petitioner Sri T. Pradeep submits that even as per the complaint, Accused No.1

married the de facto complainant stating that his first wife passed away. He submits that in the complaint, she narrated several incidents that had taken place between the de facto complainant and Accused No.1. According to him, all the offences are alleged against Accused No.1 and the only allegation made against this petitioner is that she pressurized the complainant to cohabitate with her husband and that she should give birth to a male child and hand over the child to them and thereafter she should leave the house. Learned counsel submits that except that there are no allegations against the petitioner. It is stated that in view of the differences between Accused No.1 and the complainant, the petitioner is implicated in this case. He submits that this petitioner has no knowledge about the relationship between Accused No.1 and the complainant and only to mount pressure on this petitioner, the de facto complainant has made certain allegations and set criminal law into motion, hence, her case may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor submits that so far, 11 witnesses were examined and the investigation is still in progress. He further submits that in view of the allegations levelled against the petitioner, she is not entitled for grant of pre-arrest bail.

5. Taking into consideration the allegations in the complaint, where specific overt acts are against Accused No.1,

petitioner being Accused No.2, this Court deems it appropriate to grant pre-arrest bail.

6. Accordingly, this Criminal Petition is allowed. Petitioner – Accused No. 2 shall surrender before the Station House Officer, Ramannapet Police Station in connection with Crime No. 202 of 2020 within one week from today and on such surrender and executing a personal bond for 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. The petitioner shall cooperate with the investigation and she shall appear before the police once in a fortnight i.e. on second and fourth Saturday between 10.00 a.m. and 01.00 p.m. till filing of charge-sheet.

LALITHA KANNEGANTI, J

02nd March 2022

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