

THE HON'BLE SMT JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.4391 of 2022

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner-accused No.3 for grant of anticipatory bail in the event of his arrest in connection with Crime No.60 of 2022 of Alair Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 376 (2) (n), 315, 417 and 506 of I.P.C.

2. Heard the learned counsel for the petitioner-accused No.3, learned Assistant Public Prosecutor, appearing for the respondent-State and perused the record.

3. The allegations in the complaint would go to show that accused No.1 and the *de facto* complainant are friends and they agreed to marry. Before marriage, the *de facto* complainant got pregnant and it is alleged that A.1 forcibly made *de facto* complainant undergo abortion in the month of January, 2021. It is further alleged that after aborting pregnancy of the complainant, accused No.1 refused to marry her. Hence, the complaint.

4. Learned counsel for the petitioner would submit that as per the compliant allegations and the investigation report, the abortion is a consent abortion. The only allegation is that after abortion, accused No.1 refused to marry the *de facto* complainant. The petitioner at no point of time had any interaction with the *de facto* complainant or any family members, but *de facto* complainant falsely used the name of the hospital knowing fully well that she was not aborted at Swathi Hospital. The petitioner is upcoming young professional and serving as Doctor in rural areas and he never involved in the commission of offence and ultimately, prayed this Court to grant bail to the petitioner.

5. On the other hand, learned Assistant Public Prosecutor opposed the bail application.

6. Having regard to the submissions made and considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner/A.3 on some conditions.

7. The Criminal Petition is therefore, allowed. The petitioners-accused No.3 shall surrender before the Station House Officer, Aler Police Station, Rachakonda

Commissionerate, in connection with Crime No.60 of 2022 within one week from today and on such surrender and executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, he shall be released on bail. After release, the petitioner-accused No.3 shall appear before the said Station House Officer on every Sunday between 10:00 AM and 2:00 PM for a period of two (2) months or till filing of charge sheet, whichever is earlier.

Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

JUVVADI SRIDEVI, J

Date: 19.05.2022
YVL