

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.5533 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail to the petitioner, who is arrayed as Accused in the event of his arrest in Crime No.14 of 2022 on the file of Station House Officer, Municipally Police Station, Sangareddy District registered for the offences punishable under Sections 506, 509 and 306 read with Section 511 of Indian Penal Code.

2. Heard the learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The brief facts of the case are that, a complaint was filed by the father of the victim stating that his daughter's engagement was performed with the petitioner. However, the victim refused to marry the petitioner herein her parents insisted her to get married. For the said reason, the victim consumed poison. When she was taken to the hospital, dying declaration was also recorded, in which she

stated that engagement was done with this petitioner who is her mother's brother and that though she complained to police to stop marriage, the petitioner insisted her to marry. She also stated in the dying declaration that the petitioner would kidnap her and marry her.

4. As seen from the complaint and the dying declaration engagement was performed with this petitioner and it was at the instance of parents. According to the dying declaration it was the victim who had informed that the petitioner was inclined to marry her by kidnapping her and it is not stated that the petitioner had in fact in person threatened in such a manner. In the said circumstances, the petitioner/Accused can be granted the relief of anticipatory bail.

5. Accordingly, the Criminal Petition is allowed and the petitioner/Accused shall be enlarged on bail in the event of his arrest subject to the following conditions:

i) The petitioner/Accused is directed to surrender before the Station House Officer, Municipally Police Station, Sangareddy District within one week from today, and on such surrender, he shall be

enlarged on bail on his executing a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioner/Accused shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of two (02) months or until filing of charge sheet, whichever is earlier.

iii) The petitioner/Accused shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

6. As a sequel thereto, miscellaneous applications, if any pending, shall stand closed.

K.SURENDER, J

Date: 05.07.2022
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