

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6075 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioner who is arrayed as Accused No.3 in the event of his arrest in Crime No.202 of 2020 on the file of Station House Officer, Ramannapet Police Station, Yadadri-Bhongir District registered for the offences punishable under Sections 417, 420, 495, 313, 342, 504, 506, 120-B, 376(2) and 109 read with Section 34 of Indian Penal Code.

2. Heard learned counsel for petitioner/Accused No.3 and learned Assistant Public Prosecutor for respondent-State. Perused the record.

3. 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 Accused No.1 married her on 21.12.2018 stating that his first wife died. It is stated that during her wedlock, she conceived and at the time of five months pregnancy, accused No.1 sent her to scanning centre along with petitioner/Accused No.3 who took her to the scanning centre, where it is declared 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.

4. Learned counsel for the petitioner submits that the petitioner/Accused No.3 is no way concerned with the alleged offences except taking the victim to the scanning centre on the instructions of Accused No.1.

5. Learned Assistant Public Prosecutors that so far 24 witnesses were examined and the investigation is still in progress.

6. In the said circumstances, the petitioner/Accused No.3 can be granted the relief of anticipatory bail.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.3 shall be enlarged on bail in the event of his arrest subject to the following conditions:

i) The petitioner/Accused No.3 is directed to surrender before the Station House Officer, Ramannapet Police Station, Yadadri-Bhongir District within one week from today, and on such surrender, he shall be enlarged on bail on his executing 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 No.3 shall cooperate with the investigation and he shall appear before the police once in a fortnight i.e. on second and fourth Saturday between 10.00 AM and 01.00 PM till filing of charge sheet.

iii) The petitioner/Accused No.3 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

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

K.SURENDER, J

Date: 19.07.2022
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