

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6282 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioners who are arrayed as Accused Nos.1 to 6 in the event of their arrest in Crime No.16 of 2022 on the file of Station House Officer, Chandanagar Police Station, Cyberabad registered for the offences punishable under Sections 376(2)(n), 420 and 494 of Indian Penal Code and Section 3(2) (Va) SC/ST POA Act, 2015.

2. Heard learned counsel for the petitioners/Accused Nos.1 to 6 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that the 1st petitioner/Accused No.1 came into contact with the *de facto* complainant in the year 2012 and continued the relation over a period of time, though the *de facto* complainant was married to one Naveen. Leaving the said Naveen the *de facto* complainant started staying with the 1st petitioner. When the 2nd petitioner who is the wife of 1st petitioner came to know that the 1st petitioner and *de facto* complainant were

talking to each other and were in relation, she abused the *de facto* complainant. The other petitioners who are brother-in-law and parents of 1st petitioner also supported the 2nd petitioner.

4. Learned Assistant Public Prosecutor opposed the bail application.

5. As seen from the complaint, there is relationship between the 1st petitioner and *de facto* complainant. However, as far as petitioners 2 to 6/Accused Nos.2 to 6 are concerned they have nothing to do with the allegation of rape or cheating. In the said circumstances, the relief of anticipatory bail for the petitioners 2 to 6/Accused Nos.2 to 6 can be considered.

6. Accordingly, petitioners 2 to 6/Accused Nos.2 to 6 shall be enlarged on bail in the event of their arrest subject to the following conditions:

i) The petitioners 2 to 6/Accused Nos.2 to 6 are directed to surrender before the Station House Officer, Chandanagar Police Station, Cyberabad within one week from today, and on such surrender, they shall be enlarged on bail on their executing personal

bonds for a sum of Rs.20,000/- (Rupees Twenty Thousand Only) each with two sureties to the like sum each, to its satisfaction.

ii) The petitioners 2 to 6/Accused Nos.2 to 6 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 till filing of charge sheet whichever is earlier.

iii) The petitioners 2 to 6 /Accused Nos.2 to 6 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

7. The Criminal Petition in so far as petitioner No.1/Accused No.1 is concerned for grant of anticipatory bail, is dismissed.

8. Accordingly, the Criminal Petition is partly allowed.

Miscellaneous applications, pending if any, shall stand closed.

Date: 02.08.2022
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K.SURENDER, J