

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 7545 of 2022

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/Accused in connection with Crime No.297 of 2022 on the file of Narayanguda Police Station, Hyderabad, registered for the offences punishable under Sections 376(2)(c), 376 (2)(n), 417,420,323 of the Indian Penal Code and Section 3(2)(v) of SC and STs (POA) Act.

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

3. The petitioner was a doctor. It is alleged that the *defacto* complainant was working as staff nurse in the hospital and according to her the petitioner who is a doctor promises her to marry and they were in relation since the year 2020. She had stayed 8 days with this petitioner. Thereafter, the petitioner refused to marry the *defacto* complainant, for which reason present complaint is filed.

4. Learned Counsel for the petitioner submits that in fact both the petitioner and the *defacto* complainant are majors and had

consensual sex for which reason the petitioner cannot be targeted and a criminal case be filed.

5. Keeping in view that the relation between the petitioner and the *defacto* complainant over a period of two years and the reason in lodging the complaint is refusal of the petitioner to marry the *defacto* complainant, this petitioner who is a doctor can be granted the relief of Anticipatory bail in the event of his arrest, subject to the following conditions:

- 1) The petitioner/Accused is directed to surrender before the Station House Officer, Narayanaguda Police Station, Rajanna Sircilla District, within a period of ten days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/Accused on bail, on his executing personal bond for a sum of Rs.50,000/- (Rupees fifty Thousand only) with two sureties for a like sum each to his satisfaction.
- 2) On such release, the petitioner/Accused shall appear before the concerned Station House Officer every day for a period of two weeks, thereafter, on every Monday and Thursday for a period of six weeks, between 10.30 to 1.00 P.M., for the purpose of investigation.
- 3) The petitioner/Accused shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and

shall co-operate with the Investigating Officer in investigating the case.

6. Accordingly, the Criminal Petition is allowed.

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

Date : 01.09.2022
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K.SURENDER, J

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Dt.01.09.2022

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