

**THE HON'BLE SRI JUSTICE K.SURENDER**

**CRIMINAL PETITION No. 8009 of 2022**

**ORDER:**

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/Accused seeking bail in the event of his arrest in connection with Crime No.525 of 2022 on the file of Mailardevpally Police Station, Cyberabad, registered for the offences punishable under Sections 376, 406, 420, 363 & 506 of Indian Penal Code.

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

3. The complaint was filed on 07.07.2022 against this petitioner on the ground that he was practicing black magic and cheated the defacto complainant. It is further the case that the petitioner indulged in raping his wife and sexually assaulted his wife for which reason of extortion, breach of trust and rape, a crime was registered by Mailardevpally Police Station.

4. The wife of the defacto complainant lodged a complaint on 18.07.2022 which is dated as 07.07.2022 against the defacto complainant alleging that defecto complainant was causing severe physical and mental trauma and also abducted the minor son.

5. The learned counsel for the petitioner submits that the issues are between the husband and wife; and that for the reason of this petitioner helping the wife, a false complaint is lodged against the petitioner by the husband.

6. The Learned Assistant Public Prosecutor would submit that the petitioner has taken the services of the wife of the *defacto* complainant to make a false complaint against the defacto complainant.

7. As seen from the allegations made by the wife of the defacto complainant, no such allegations are leveled against the petitioner amounting to rape or sexual assault.

8. In the said circumstances, the petitioner 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, Mailardevpally Police Station, Cyberabad, 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, between 10.00 A.M to 1.00 P.M for a period of one month and

thereafter as and when required, 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.

9. Accordingly, the Criminal Petition is allowed.

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

Date : 19.09.2022  
tk/aqs

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**K.SURENDER, J**

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**Dt.19.09.2022**

tk/Aqs