

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.8489 OF 2022****ORDER:**

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner who is arrayed as Accused No.1 in Crime No.223 of 2022 pending on the file of Station House Officer, Bhadrachalam Town Police Station, Bhadrachalam-Kothagudem District registered for the offences punishable under Sections 417, 420, 376(2)(n), 313, 314 and 304-A of Indian Penal Code.

2. Heard learned counsel for the petitioner/Accused No.1 and the learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The allegation against this petitioner is that he fell in love with the deceased and were having physical relation over a period of one year. She was impregnated and during the course of her five months pregnancy, the petitioner asked her to get aborted. Accordingly, she was taken to the hospital, where Accused Nos.2 and 3 who are the doctors performed the abortion. During the course of the said procedure, the *de facto* complainant's daughter

died. For the said reason, the present crime was registered against this petitioner and two other doctors.

4. Even according to the complaint the allegation against this petitioner is that he fell in love with the girl who was a major and the death occurred when the procedure of abortion was performed by Accused Nos.2 and 3. In the said circumstances, this petitioner can be granted the relief of regular bail.

5. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.1 is granted bail subject to the following conditions:

i) The petitioner/Accused No.1 is directed to be released on bail on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of Judicial First Class Magistrate at Bhadrachalam.

ii) After release on bail, the petitioner/Accused No.1 shall appear before the concerned Station House Officer on every Monday between 10.00 A.M to 1.00 P.M, for a period of eight (08) weeks or until filing of charge sheet, whichever is earlier.

iii) The petitioner/Accused No.1 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 27.09.2022
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