

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.9251 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 7 in the event of their arrest in Crime No.206 of 2022 on the file of Station House Officer, Dornakal (MBBD) Police Station, Mahabubabad District, registered for the offences punishable under Sections 498-A, 313 and 506 read with Section 34 of Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

2. Heard learned counsel for petitioners/Accused Nos.1 to 7 and learned Additional Public Prosecutor for respondent-State. Perused the record.

3. Briefly the case of the prosecution is that a complaint was registered against these petitioners alleging that the *de facto* complainant who is the wife of accused No.1 was subjected to cruelty by demanding additional dowry of Rs.10,00,000/-. It is further alleged in the complaint that these petitioners had forcibly terminated her fourth month pregnancy.

4. Learned counsel for the petitioners has filed medical records pertaining to the termination of pregnancy of the *de facto* complainant.

5. On perusal of the medial records, the said documents indicate that there was an early pregnancy failure and she was treated by doctors six months prior to the complaint and six months thereafter, the present complaint is filed alleging that these petitioners have forcibly caused abortion, which allegation is contrary to the medical records filed along with the petition.

6. In the said circumstances, these petitioners can be granted the relief of anticipatory bail when the allegation has omnibus in nature stating that there was a demand of Rs.10,00,000/- for doing fertilizer business by Accused No.1.

7. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.1 to 7 shall be enlarged on bail in the event of their arrest subject to the following conditions:

i) The petitioners/Accused Nos.1 to 7 are directed to surrender before the Station House Officer, Dornakal (MBBD) Police Station, Mahabubabad District within ten (10) days from today, and on such

surrender, they shall be enlarged on bail on their executing personal bonds for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties for a like sum each, to its satisfaction.

ii. On such release, the petitioners/Accused Nos.1, 3, 4 and 7 shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of eight (08) weeks and thereafter as and when required for the purpose of investigation.

iii. The petitioners/Accused Nos.2, 5 and 6 shall appear before the investigating authorities as and when required for the purpose of investigation.

iv. The petitioners/Accused Nos.1 to 7 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, if any, pending shall stand closed.

Date: 28.10.2022
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K.SURENDER, J