

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.9647 OF 2022

O R D E R:

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short “Cr.P.C.”) seeking pre-arrest bail to the petitioners, who are arrayed as Accused Nos.2 to 4, in the event of their arrest in connection with Crime No.1075 of 2022 of Medipally Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 376(2)(n), 417, 420, 493, 506 read with Section 109 of the Indian Penal Code.

2. Heard learned counsel for the petitioners/Accused Nos.2 to 4 and learned Additional Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that Accused No.1 was having acquaintance with the *de facto* complainant since the year, 2018 and they had sexual relation from the year, 2020. Though it is alleged in the complaint that over a period of time, the *de facto* complainant had sexual intercourse with Accused No.1 on the basis of his false promise of marriage. There is

nothing attributed to these petitioners to state that they were complicit in any manner with the relation in between Accused No.1 and the *de facto* complainant. Further, these petitioners were already married and living separately.

4. In the said circumstances, when there is vague allegation that these petitioners promised that they would get Accused No.1 and *de facto* complainant married, the detention of these petitioners not warranted. For the said reason, the petitioners/Accused Nos.2 to 4 can be granted the relief of anticipatory bail.

5. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.2 to 4 are granted anticipatory bail subject to the following conditions:

- i) The petitioners/Accused Nos.2 to 4 are directed to surrender before the Station House Officer, Medipally Police Station, Rachakonda Commissionerate, 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.20,000/- (Rupees Twenty Thousand Only) with two sureties to the like sum each, to its satisfaction. On failure to surrender within ten (10) days, the order shall stands cancelled.

- ii) The petitioners/Accused Nos.3 and 4 shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of four (4) weeks and thereafter as and when required for the purpose of investigation.
- iii) The petitioner/Accused No.2 shall appear before the concerned Station House Officer as and when required for the purpose of investigation.
- iii) The petitioners/Accused Nos.2 to 4 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Pending miscellaneous applications, if any, shall stand closed.

K.SURENDER,J

Date: 09.11.2022

svl/rev

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Dt. 09.11.2022

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