

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY ,THE FIFTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 7685 OF 2023

Between:

1. Mohd Imran, S/o.Mohd Zainuddin, Aged about 32 years, Occ. Working in Qatar, R/o.H.No.12-2-396/58, Asinagar, Hyderabad
2. Fatima Begum, W/o Mohd Zainuddin, Aged about 32 years, Occ. Working in Qatar, R/o.H.No.12-2-396/58, Asinagar, Hyderabad

...PETITIONER/ACCUSED No. 1 & 2

AND

**The State of Telangana, Rep. by Public Prosecutor, High Court at Hyderabad
Through PS GOLKONDA, Hyderabad**

...RESPONDENT/COMPLAINANT

Petition under Section 438 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant Anticipatory Bail to the Petitioner/Accused No. 1 and 2 in the event of their arrest in Crime No.365 of 2021before P.S.Golkonda, Hyderabad, in the interest of justice .

This Petition coming on for hearing,upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri NUSRATH SHAHEZADI ,Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent..

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.7685 OF 2023

ORDER:

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners to grant Anticipatory Bail to the petitioners/accused Nos.1 and 2 in the event of their arrest in Crime No.365 of 2021 on the file of Golkonda police station, Hyderabad which was registered for the offences under Sections 376(2)(n) and 109 of IPC.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent– State. Perused the record.

3. It is alleged in the complaint that these petitioners were responsible for ill-treating the defacto complainant during her stay at Qatar. The defacto complainant lodged a complaint on 29.12.2021 alleging several acts against these petitioners.

4. Learned Additional Public Prosecutor would submit that the investigation is completed and chargesheet was numbered as PRC No.307 of 2023 and pending on the file of the learned XVII Additional Chief Metropolitan Magistrate, Nampally.

5. Learned counsel appearing for the petitioners would submit that petitioners/accused Nos.1 and 2 have left to Qatar in the month of July, 2021 and nearly six months thereafter, the present complaint is filed with false allegations. The very conduct of defacto complainant in lodging complaint with inordinate delay would reflect the incorrect nature of the allegations.

6. Keeping in view that the chargesheet is already filed, this Court deems it appropriate to direct the petitioners to appear before the learned XVII Additional Chief Metropolitan Magistrate, Nampally on 03.10.2023 and upon such appearance non-bailable warrants issued against the petitioners shall be recalled on conditions DNA test, if any required shall be ordered by the Court in accordance with law. Failing to appear before the trial Court on 03.10.2023, the relief granted in this application stands cancelled.

7. Accordingly, the Criminal Petition is disposed of
Miscellaneous applications pending, if any, shall stand closed.

**SD/- K.VENKAIAH
ASSISTANT REGISTRAR**

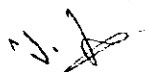
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SECTION OFFICER

To,

1. The XVII Additional Chief Metropolitan Magistrate at Hyderabad.
2. The Station House Officer, Golkonda Police Station, Hyderabad.
3. Two CCS to Public Prosecutor, High Court for the State of Telangana at Hyderabad .
4. One CC to SRI. NUSRATH SHAHEZADI, Advocate [OPUC]
5. Two C.D Copies



HIGH COURT

DATED:05/09/2023

ORDER

CRLP.No.7685 of 2023



DISPOSING OF THE CRL.PETITION

⑧ *vw*
26/9/23