

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

**CRIMINAL PETITION No.7115 of 2023**

**ORDER:**

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused No.1 seeking anticipatory bail in the event of his arrest in connection with Crime.No.331 of 2023 on the file of Balanagar Police Station, Cyberabad, registered for the offences under Sections 417, 420 and 493 of IPC.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The *de-facto* complainant filed written complaint on 10.07.2023 stating that she was married to one Javed Ali. Since he was harassing for additional dowry, a crime was registered against him on the basis of her complaint. Thereafter, she came into contact with this petitioner in the year, 2021. The petitioner proposed to marry her and on 23.08.2022, the petitioner took her to Yellamma temple and tied mangalsutram. They lived as husband and wife for which reason she got pregnant. Her pregnancy was aborted at

hospital. Thereafter, she came to know that this petitioner was already married by the time they got married on 23.08.2022.

4. Learned counsel for the petitioner would submit that the petitioner is Constable and even according to the complaint, they were living consensually together over a period of one year.

5. The complaint was filed for the reason of *de-facto* complainant coming to know about the earlier marriage of this petitioner. However, both are adults. They have stayed together as husband and wife for some time. Keeping in view, the petitioner is public servant, this Court deems it appropriate to grant relief of anticipatory bail subject to the following conditions:-

- 1) The petitioner/Accused No.1 is directed to surrender before the Station House Officer, Balanagar Police Station, Cyberabad on 09.08.2023. Upon such surrender, the said Station House Officer shall release the petitioner/Accused No.1 on bail, on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty five Thousand only) with two sureties for a like sum each to his satisfaction.

2) On such release, the petitioner/Accused No.1 shall appear before the concerned police every day from 09.08.2023 till 23.08.2023 at 10.00 a.m. and thereafter, as and when required for the purpose of investigation.

3) The petitioner/Accused No.1 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.

6. Accordingly, the Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 04.08.2023  
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**K.SURENDER, J**