

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 10128 of 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused seeking bail in the event of her arrest in connection with Crime No.822 of 2023 on the file of Kukatpally Police Station, Cyberabad, Medchal-Malkagiri District, registered for the offences punishable under Sections 420, 376 of Indian Penal Code.
2. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State and perused the record.
3. The de facto complainant lodged a complaint on 30.09.2023 alleging that engagement was scheduled with this petitioner and according to that engagement was done. Thereafter in the absence of her family members, the petitioner had sexual intercourse with the de facto complainant, though she refused. However, the petitioner is now refusing to marry the de facto complainant.

4. Learned counsel for the petitioner would submit that the complaint was made on 26.08.2023 saying that he was refusing to marry her by hearing the words of his mother at Mahila Police Station, Bidar. In the said complaint, there is no allegation of any rape, however, after a month she has filed the present complaint.

5. Learned counsel further submits that on 30.08.2023 the petitioner herein has filed complaint seeking protection against the harassment from mother of the *de facto* complainant.

6. It appears that differences arose in between the parties, when the marriage did not happen as planned. Resulting in complaints and counter complaints, in the said circumstances petitioner can be granted relief of anticipatory bail, when there is no allegation made against the complaint lodged one month prior with Bidar Police regarding rape being committed by this petitioner, subject to the following conditions:

- 1) The petitioner/accused is directed to surrender before the Station House Officer, Kukatpally Police Station,

Cyberabad, Medchal-Malkagiri District on or before 20.10.2023. On such surrender, the said Station House Officer shall release the petitioner 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, petitioner/accused shall appear before the concerned Station House Officer on every Monday at 10.00 A.M for a period of four weeks, for the purpose of investigation and thereafter, as and when required.
- 3) The petitioner/accused 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.

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

Date : 13.10.2023
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K.SURENDER, J

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Dt.13.10.2023

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