

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.10923 of 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused No.2 seeking bail in the event of his arrest in connection with Crime No.513 of 2023 on the file of Hanmakonda Police Station, Warangal District, registered for the offences under Sections 498-A, 324, 344, 363, 406 and 506 r/w. 34 of IPC and Section 7 of POCSO Act.
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 lodged a private complaint on 10.08.2023 in the Magistrate Court at Hanmakonda. The said complaint was referred to Police for investigation and the same was registered for the above said offences.
4. In the said complaint, the *de-facto* complainant had stated that A-1/husband, A-2/ husband's brother and A-3 to A-6, other women, who are related to her husband were responsible for harassing her. In fact, she also alleges that petitioner/A-2 had misbehaved with her daughter.

5. Learned counsel appearing for the petitioner would submit that in fact, a complaint was filed by A-4, mother in law of the *de-facto* complainant against the *de-facto* complainant on 26.04.2023 and addressed the complaint to several authorities including the Police authorities. In the said complaint, serious allegations were leveled against the *de-facto* complainant of theft, adultery and harassment. He further submits that as a consequence to the complaint which was earlier filed by mother-in-law, after four months, the present complaint is filed.

6. Learned Additional Public Prosecutor on instructions would submit that case has been transferred to Malakpet Police Station on the ground of jurisdiction.

7. In view of the said submission, the observations in this order are applicable to the Police, Malakapet.

8. Keeping in view that the present private complaint is the result of action sought to be initiated against the *de-facto* complainant by her mother-in-law by filing a complaint on 26.04.2023, this Court deems it appropriate to grant the relief of anticipatory bail subject to following conditions:-

- 1) In the event of arrest by Malakpet Police, the petitioner/Accused No.2 shall be released 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 No.2 shall appear before the concerned Station House Officer at 10.00 A.M, for the purpose of investigation, as and when required.
- 3) The petitioner/Accused No.2 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.

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

Date : 10.11.2023
dv

K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.10923 of 2023
Dt.10.11.2023

dv