

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.1064 OF 2024

O R D E R:

1. This Criminal Petition is filed under Section 438 of Code of Criminal Procedure (for short 'Cr.P.C.') by the petitioners/Accused seeking bail in the event of their arrest in connection with Crime No.43 of 2024 on the file of Neredmet Police Station, Rachakonda, registered for the offences under Sections 376(2) (n), 417, 420, 323 and 506 of IPC.
2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State. Perused the record.
3. The *de-facto* complainant lodged a telugu written complaint on 21.01.2024 alleging that she was in love with the 1st petitioner from February, 2022. Thereafter, on 19.08.2023, engagement of the 1st petitioner and the *de-facto* complainant was performed. Though, there was no demand for dowry prior to engagement, subsequent to engagement, 1st petitioner and his mother started demanding dowry. On 16.10.2023, the 1st petitioner went to the house of the *de-facto* complainant and assaulted her and also indulged in sexual intercourse. However, since the 1st petitioner refused to marry, the present complaint was filed.

4. Learned counsel appearing for the petitioners would submit that the allegation of rape was subsequently made in the complaint. Further, there is a delay of 3 months in lodging the complaint after alleged incident of rape.

5. It appears that the *de-facto* complainant and the 1st petitioner are preparing for UPSC. Since both were acquainted with each other for a period of two years, engagement was performed and the complaint is a result of marriage not taking place as planned.

6. In the said circumstances, this Court deems it appropriate to grant the relief of anticipatory bail, subject to following conditions:-

- 1) The petitioners/Accused are directed to surrender before the Station House Officer, Neredmet Police Station, Rachakonda, on or before 07.02.2024. Upon such surrender, the said Station House Officer shall release the petitioners/Accused on bail, on their executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, for a like sum each to his satisfaction.
- 2) On such release, the 1st petitioner/Accused shall appear before the concerned Station House Officer at 10:00 a.m. everyday for a period of ten days for the purpose of investigation and thereafter, as and when required. As far as 2nd petitioner is concerned, he shall appear as and when required.

3) The petitioners/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, the Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 31.01.2024
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K.SURENDER, J

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Dt.31.01.2024

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