

**THE HONOURABLE SMT. JUSTICE K. SUJANA**

**CRIMINAL PETITION No.14317 of 2024**

**ORDER:**

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for granting of pre-arrest bail to the petitioner who is arrayed as accused in Crime No.80 of 2023 of Damera Police Station, Warangal District.

2. The brief facts of the case are that the victim got illegally aborted on 13.05.2023 in a private hospital after determining the gender of the foetus as conceived by one Bikani Nagaraju. Hence, a case was registered vide Crime No.80 of 2023 before the Damera Police, Warangal, for the offences punishable under Sections 312, 313 and 420 read with 149 of the Indian Penal Code, 1860.

3. Heard Sri K.Karunakar, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that though the petitioner is no way concerned with the alleged offence, the petitioner is arrayed as accused No.3 with false allegations solely based on the confession of accused No.3. He further submitted that there is an inordinate delay in filing the complaint and the petitioner is falsely

implicated in the case without any corroborative evidence. Hence, he prayed the Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the investigation is not yet completed, therefore, granting anticipatory bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Having regard to the submissions made by both the parties and a perusal of the material placed on record, it is apparent that though the alleged incident took place on 13.05.2023, the FIR was lodged on 28.05.2023. Further, the petitioner was implicated in the case based on the confession of accused No.3 without any corroborative evidence. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioner.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of P.S. Damera, Hanumakonda District, Warangal Commissionerate, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for

Rs.25,000/- with two sureties, for the like sum each.

- ii. The petitioner shall appear before the concerned Station House Officer on every Monday between 9:00 A.M. to 10 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.
- iii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

Miscellaneous applications, if any pending, shall stand closed.

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**K. SUJANA, J**

Date: 09.12.2024  
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