

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14148 OF 2025

ORDER :

This criminal petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner/A.1 seeking regular bail in connection with Crime No.287 of 2025 of Suryapet I- Town Police Station. The offences registered against the petitioner are under Sections 318(4), 125 r/w.3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), Section 5(2) (3) of the Medical Termination of Pregnancy Act, 1971 and Section 23 (1) (3) of Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994.

2. The facts of the case are that on 21.09.2025 a complaint was received by the police from the complainant who is the Medical Officer, UPHC Rajeevnagar, Suryapet alleging that A.1 to A.4 are allegedly operating unregistered ultrasound facility and conducting pre-natal sex determination of fetus and jointly running and performing ultrasound scans without valid registration and involved in Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection Act, 1994). As such, requested the police for necessary action, basing on which, the police registered the case against the accused for the said offences.

Initially all the accused were served with Section 35(3) of BNSS notice, thereafter as the petitioner is not cooperating with the investigating officer, he was arrested on 06.10.2025.

3. Heard Sri A. Divakar Reddy, learned counsel for the petitioner and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that the offences alleged are punishable with below seven years, the other accused are granted bail and the petitioner herein was arrested on 06.10.2025. The material part of investigation is already completed and custody of the petitioner herein is not necessary for completing the investigation. Hence, requested this Court to grant regular bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail on the ground that investigation is still pending and petitioner is also involved in other case with same allegations. If bail is granted, he will indulge in similar crime. As such, petitioner is not entitled for bail and prayed to dismiss this criminal petition.

6. Having regard to the submissions made and the material on record, the petitioner is in jail from 06.10.2025 and as seen

from the record Lws.1 to 10 are already examined including the investigating officer. Considering the allegations against this petitioner, this Court deems it fit to grant bail to the petitioner subject to the following conditions :

- i. The petitioner/A.1 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties for a like sum each to the satisfaction of Principal District and Sessions Judge at Suryapet.
- ii. The petitioner/A.1 shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation and thereafter, as and when required.
- iii. The petitioner/A.1 shall abide by the conditions stipulated in Section 483(2) of BNSS.
- iv. If petitioner/A.1 indulges in the similar offence, the investigating officer is at liberty to file application for cancellation of bail.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

Date :04.11.2025
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