

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.14607 of 2025

5th DAY OF DECEMBER 2025

Between:

Jainapuram Karthik.

PETITIONER

The State of Telangana,
Rep by Public Prosecutor,
High Court for the State of
Telangana, at Hyderabad.

RESPONDENT

ORDER

This Criminal Petition is filed before this Court for grant of pre-arrest bail to the petitioner who is arrayed as accused in FIR.No.281 of 2025 before the Raikal Police Station, Jagtial District, registered for the offences punishable under Sections 69, 351(2) of BNS, 3(1)(r)(s), 3(2)(va) of SC/ST (POA) Act.

2. The brief facts of the case are that on 23.05.2025, the complainant doctors from the DMHO office, Suryapet, reported that a five-month pregnant woman, Ms. Bayya Anusha of Raghavapuram

village, Mothey Mandal, died following complications from an illegal abortion conducted at an unregistered private hospital near Ramalingeswara Theatre, Suryapet. The deceased, with two prior cesarean sections, had earlier consulted hospitals in Khammam and Suryapet for pregnancy-related issues. Her husband, Bayya Nagesh, admitted that they sought illegal sex determination with the help of a relative, Uppula Sandeep alias Chanti, and an RMP from Tekumatla, who arranged an abortion for Rs.38,000/- after an ultrasound revealed the fetus to be female. The procedure was carried out on 17.05.2025 at the said unregistered facility, where the victim suffered heavy bleeding, was later shifted to Khammam, and declared dead at 1:00 AM on 18.05.2025. It is alleged that unqualified persons knowingly performed the medical termination of pregnancy without requisite skill, leading to her death, and hence legal action was sought against Uppula Sandeep, the RMP, the ultrasound operator, Bayya Nagesh, the unqualified doctor, and others involved in the illegal abortion.

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

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has no connection with the alleged crime, and that the vague and baseless allegations made against him have led to his false implication. He contended that the complaint does not disclose the ingredients of Sections 69, 351(2) of BNS or Sections 3(1)(r)(s), 3(2)(va) of the SC/ST (POA) Amendment Act, 2015, and on a plain reading, no offence under Section 69 of BNS is made out. He averred that the complainant, being a mature woman, voluntarily participated in the alleged act with full consent, and no prior complaint was ever lodged against the petitioner. He lamented that the police are attempting to arrest him without any evidence, subjecting him to possible custodial harassment, though investigation is already complete and witnesses examined. Therefore, he prayed the Court to grant pre-arrest bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the allegations leveled against the petitioner are of serious nature, and that the investigation in the case is not yet completed. Therefore, he prayed the Court to dismiss the criminal petition.

6. Having regard to rival submissions made and on perusing material on record, it is noted that there is a love affair between the parties, and the de facto complainant addressed a letter to the Investigating Officer stating that she lodged report under the pressure of her parents. Therefore, considering the allegations leveled against the petitioner, and also the averments made by de facto complainant, this Court deems it appropriate to grant anticipatory bail to the petitioner, subject to the following conditions.:

- i. The petitioner shall surrender before the Station House Officer, Raikal Police Station, Jagtial District within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on him executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, for the like sum each.
- ii. The petitioner 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 shall abide by the other conditions stipulated in Section 482(2) of

BNSS and co-operate with the Investigating
Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

Date : 05.12.2025
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K. SUJANA, J

THE HON'BLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.14607 OF 2025

DATE :05.12.2025

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