

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD

THE HONOURABLE SMT. JUSTICE T.MADHAVI DEVI

CRIMINAL PETITION No.7841 of 2026

Date of Order: 21.05.2026

Between:

Dr.Dalne Poornima Rajya Lakshmi

...Petitioner-accused No.6

And

The State of Telangana,
Represented by its Public Prosecutor,
High Court for the State of Telangana,
Hyderabad,
Represented through S.H.O.PS, Inavolu,
Warangal District.

...Respondent

: O R D E R :

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused No.6 in Crime No.62 of 2026 of Inavolu Police Station, registered for the offences punishable under Sections 85, 89, 103(1), 61(2), 238 read with 3(5) of Bharatiya Nyaya Sanhitha, 2023 and Section 23 of Pre-Conception and Pre-Natal

Diagnostic Techniques Act and Section 5 of Medical Termination of Pregnancy Act.

2. The brief facts of the case are that on 02.04.2026 at about 08:00 hours, the defacto complainant lodged a written complaint stating that his daughter Farhath was married to Md. Azharuddin about 11 years ago and they were blessed with two daughters, namely Md. Humera and Md. Ayesha. It is alleged that during the marital life, whenever Farhath became pregnant, her husband Azharuddin, suspecting that she might again give birth to female children, forcibly subjected her to abortions without her consent at hospitals situated at Kadipikonda and Narasampet. Due to the repeated abortions, Farhath allegedly suffered ill health. Further, it is alleged that on 30.03.2026, when Farhath informed her husband that she was again pregnant, he took her to Fatal Hospital, Warangal, for abortion. However, the doctor reportedly refused to perform the procedure after confirming that she was carrying a 9-week pregnancy. Thereafter, according to the complaint, Farhath informed her parents that she was being harassed by her husband and in-laws. The prosecution further alleges that on 01.04.2026 at about 7:30 PM,

Azharuddin took Farhath and their two daughters to the outskirts of Punnelu Village and, while pretending to talk to them near a swimming pool, pushed all three into the water, resulting in their deaths. It is further alleged that thereafter he shifted them to MGM Hospital, Warangal, and later confessed before one Tajuddin, a villager, that he had killed his wife and children and sought help from him. On receiving the information through Tajuddin, the complainant and family members rushed to MGM Hospital, Warangal, where they found Farhath and her two daughters dead. Based on the complaint, the police registered the case and commenced investigation. Hence, action was sought against the accused.

3. Heard Mr.K.Devanath, learned Counsel appearing on behalf of the petitioner as well as Mr.Vivekananda Reddy, learned Assistant Public Prosecutor appearing on behalf of the respondent No.1-State.

4. Learned counsel for the petitioner submits that the petitioner is accused No.6 in Crime No.62 of 2026 and accusation is that she carried out miscarriage without consent of the concerned pregnant lady. The accused No.1 admitted

to have been committed murder of his wife and two daughters and surrendered on the complaint of the father of the deceased, the petitioner has been arrayed as accused No.6. The petitioner is Doctor by profession and the allegation is by the father of the pregnant lady and even according to the said statement, she has refused to abort the second time of pregnancy. Therefore, he prayed for grant of pre-arrest bail by allowing the Criminal Petition.

5. On the other hand, learned Public Prosecutor opposed the grant of bail and however pointed out that the allegations against the petitioner are of miscarriage of pregnancy without the consent of the pregnant woman. Therefore, at this stage, granting of pre-arrest bail to the petitioner does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and regard to the fact that it is not the woman who has made complaint, but the father of pregnant woman that too after a period of three years, this Court is inclined to grant pre-arrest bail to the petitioner/accused No.6, subject to the following conditions:

- i. The petitioner-accused No.6 shall surrender before the Station House Officer, Inavolu Police Station, Warangal District, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/-, each with two sureties, for the like sum each.
- ii. 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.
- iii. The petitioner shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., for a period of eight (8) weeks or till the filing of the charge sheet, whichever is earlier and thereafter, as and when required.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

JUSTICE T.MADHAVI DEVI

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