

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.8429 OF 2026

DATE : 17.06.2026

Between:

Dr. S. Rama Devi

...Petitioner/Accused No.2.

AND

The State of Telangana
Through P.S. Adibala, Rep by its Public Prosecutor, High
Court for the State of Telangana, Hyderabad.

...Respondent

ORDER:

This Criminal Petition is filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023* (for short, "BNSS"), seeking grant of anticipatory bail.

2. The petitioner is arrayed as an accused No.2 in FIR No.319 of 2026 on the file of Adibatla Police Station, for the offence punishable under Section 89 of BNS.

3. Heard Mr. B. Rajeshwar Reddy, learned counsel for the petitioner and the learned Assistant Public Prosecutor representing the respondent/State.

4. The prosecution case, in brief, is that the de facto complainant lodged a report on 26.04.2026 alleging that accused No.1 had induced her into a physical relationship on the promise of marriage and, on that pretext, repeatedly subjected her to sexual intercourse. It is alleged that thereafter, in June, 2025, accused No.1 avoided the de facto complainant and solemnized marriage with another woman. Based on the said complaint, a crime was registered and investigation was set in motion. During the course of investigation, it is stated that, on the basis of the alleged confessional statement of accused No.1, it came to light that accused No.1 had taken the de facto complainant to Ramadevi Hospital, Thukkuguda, on 16.11.2023 and got her pregnancy terminated. On the strength of the said allegation, the present petitioner, who is stated to be associated with the said hospital, came to be implicated as accused No.2.

5.1. Learned counsel for the petitioner submits that the allegations levelled against the petitioner are wholly unfounded and are not borne out by the material collected during the course of investigation. It is contended that the de facto complainant, in her complaint as well as in her statement recorded by the police, had never alleged that any abortion was performed, much less that it was conducted without her consent. Learned counsel further submits that the Investigating Agency, invoking its powers under Section 94 of the BNSS, issued a

notice to the petitioner calling upon her to furnish relevant medical records pertaining to the treatment of the de facto complainant.

5.2. Pursuant thereto, the petitioner furnished the available medical records before the Investigating Agency. A prima facie examination of the said records reveals that the de facto complainant was admitted to the hospital through accused No.1 with complaints relating to severe anaemia and for the purpose of blood transfusion and supportive treatment. According to the petitioner, the records do not disclose that any medical termination of pregnancy or abortion procedure was undertaken during her admission. It is, therefore, contended that despite the production of the aforesaid documents, and without conducting any further verification thereof, the Investigating Agency mechanically arrayed the petitioner as accused No.2.

5.3. Learned counsel submits that the petitioner has been falsely implicated solely on the basis of the alleged disclosure statement of co-accused No.1, which, by itself, has limited evidentiary value. It is further submitted that the petitioner is a permanent resident, is willing to cooperate with the investigation in all respects, and that no custodial interrogation is necessary for the purpose of effective investigation. Accordingly, learned counsel seeks the relief of anticipatory bail.

6. Per contra, learned Assistant Public Prosecutor opposed the petition and submitted that the involvement of the petitioner surfaced

during the course of investigation upon examination of the medical records and other material collected by the Investigating Agency. However, he fairly conceded that the documents produced by the petitioner do not prima facie indicate that any procedure relating to medical termination of pregnancy or abortion was performed in the hospital. It is nevertheless contended that the investigation is still in progress and that the true facts surrounding the allegations would emerge only upon completion of a comprehensive investigation. On the said premise, prayed for dismissal of the petition.

7. I have perused the material available on record.

8. The specific allegation against the petitioner is that she facilitated or conducted an abortion on the de facto complainant without her consent. However, the photocopies of the medical records stated to have been furnished by the petitioner to the Investigating Agency presently indicate only that the de facto complainant was admitted for treatment pertaining to severe anaemia and allied medical management. At this stage, the material placed before the Court does not prima facie disclose any procedure relating to medical termination of pregnancy having been undertaken by the petitioner.

9. It is also well settled that the mere implication of an accused in a criminal case does not *ipso facto* justify custodial interrogation, particularly where the investigation can effectively proceed on the basis

of documentary evidence already available with the Investigating Agency.

10. Having regard to the nature of allegations, the material presently available on record, and the fact that the investigation into the alleged offence appears to be substantially documentary in nature, this Court is of the considered view that custodial interrogation of the petitioner is not warranted at this stage. The apprehensions of the prosecution can be adequately addressed by imposing appropriate conditions to secure the petitioner's presence and cooperation during the course of investigation. Therefore, this Court is inclined to extend the discretionary relief of anticipatory bail to the petitioner.

11. Accordingly, the Criminal Petition is allowed. The petitioner/accused No.2 shall be enlarged on anticipatory bail in Crime No.319 of 2026 of Adibatla Police Station, subject to the following conditions:

(a) Petitioner/Accused No.2 shall surrender before the Station House Officer, Adibatla Police Station, on or before 03.07.2026. Upon such surrender, or in the event of their arrest, the Station House Officer shall release them on bail upon each of them executing 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 the said officer.

(b) The petitioner shall remain available for interrogation as and when required during the course of investigation and shall extend full cooperation to the investigation.

(c) The petitioner shall furnish their complete residential addresses and contact details to the Investigating Officer and shall keep the same updated throughout the proceedings before the trial court.

(d) The petitioner shall neither directly nor indirectly induce, threaten, influence, or contact any prosecution witness, nor shall they tamper with the prosecution evidence in any manner whatsoever.

12. It is made clear that any observations made herein are confined solely to the adjudication of the present application for anticipatory bail and shall not be construed as an expression on the merits of the case.

Miscellaneous applications, if any pending, shall stand closed.

N.TUKARAMJI, J

Date : 17.06.2026

MRKR

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.8429 OF 2026

DATE : 17.06.2026

MRKR