

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE SEVENTEENTH DAY OF APRIL,

TWO THOUSAND AND TWENTY THREE ✓

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY ✓

CRIMINAL PETITION NO: 2656 OF 2023 ✓



Between:

1. Dr.Marella Alekya, W/o R. Ajay Ram Aged about 30 years, Occ.
Medical Doctor (Opthomologist), R/o D.No.12-71/3 Prakasham Road,
Kuppam, Kuppam Chittoor District, Andhra Pradesh - 517425
2. Dr.R. Ajay Ram, S/o R. Ravindra Achari Aged about 36 years, Occ.
Medical Doctor (Cardiaologist), R/o D.No.12-71/3, Prakasham Road,
Kuppam, Kuppam, Chittoor District, Andhra Pradesh - 517425

...Petitioners/Accused Nos.5 & 6

AND

The State of Andhra Pradesh, (W.S.I, Disha Police Station, Vijayawada City)
Rep. by Public Prosecutor A.P High Court Building, Nelapadu Amaravathi,
Guntur District, Andhra Pradesh.

...Respondent

Petition under Section 438 of Cr.P.C is filed praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to enlarge the petitioner on bail in the event of their arrest in Crime (FIR) No.25/2023, dated 21-03-2023, Registered by the W.S.I, Disha Police Station, Vijayawada City, Andhra Pradesh, for the alleged offenses U/s 498(A), 406, 313, 354(A), 377 and 506 of IPC, Sec. 3 and 4 of D.P Act, and Sec.67, 67(A) of the Information Technology Act 2000. -

The petition coming on for hearing, upon perusing the Petition and memorandum of grounds of criminal petition and upon hearing the arguments of Sri Yadlapalli Venkata Kalyana Chakravarthi, Advocate for the Petitioners and Public Prosecutor for the Respondent, the Court made the following;

ORDER:

THE HON'BLE SRI JUSTICE K. SREENIVASA REDDY**CRIMINAL PETITION NO.2656 OF 2023****ORDER:-**

The Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed on behalf of the petitioners/A5 and A6 to grant anticipatory bail in connection with Crime No.25 of 2023 of Disha Urban Police Station, Vijayawada, NTR Commissionerate.

2) A case has been registered against the petitioners and others for the offences punishable under Sections 498-A, 406, 313, 354-A, 377, 506 IPC, Sections 3 and 4 of the Dowry Prohibition Act and Section 67 and 67-A of the Information Technology Act, 2000.

3) Brief facts of the case are that, on 21.03.2023, defacto complainant lodged a report stating that her marriage was performed with A1 who is working as Chartered Accountant on 20.11.2021 at Sheshasai Kalyanamandapam by spending Rs.60.00 lakhs towards dowry, gold and silver ornaments, presentations and other expenses. After marriage, she joined with A1 at her in-laws house for leading marital life. Subsequently, all the accused started harassing her for additional dowry. Moreover, from the day of her marriage, A1 used to force the defacto complainant to do oral sex by keeping his private part in her mouth. When she got conceived and was carrying second month pregnancy, she was given medicine for abortion without her consent by A5 to A7. On 19.03.2023, all the

accused went to her house, abused her and her parents, outraged her modesty, beat her with hands and legs and threatened her with dire consequences demanding for additional dowry.

4) Heard. Perused the record.

5) A perusal of material on record goes to show that, all the accusations that are made in the FIR are directed as against A1 only. The only accusation that has been made as against the petitioners herein, who happened to be distant relatives to A1, is they allegedly gave a medicine for abortion and by virtue of the same, the pregnancy of the defacto complainant has been terminated. Even accepting that the said incident which is allegedly said to have taken place earlier, the defacto complainant has not resorted in filing complaint against the petitioners at that stage and at a belated stage, she resorted in making various allegations against A1 and the petitioners herein and filed the present complaint. The petitioners, who are husband and wife, are said to be doctors. Since the accusation which is made against the petitioners herein is at a belated stage, this Court is inclined to consider the request of the petitioners in granting anticipatory bail.

6) Accordingly, in the event of their arrest in the above crime, petitioners/A5 and A6 shall be released on bail on each of them executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only), with two sureties each for the like sum to the satisfaction of the arresting police officials and also on

condition that the petitioners shall make themselves available for investigation as and when required and that they shall not cause any threat, inducement or promise to the prosecution witnesses. The petitioners shall appear before the Station House Officer, concerned, once in 15 days i.e. on every Friday between 10.00 A.M., and 05.00 P.M. till filing of charge sheet.

7) Accordingly, the Criminal Petition is allowed.

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

For A

SECTION OFFICER

To,

1. The Station House Officer, W.S.I, Disha Police Station, Vijayawada City.
2. One CC to Sri. Yadlapalli Venkata Kalyana Chakravarthi, Advocate [OPUC]
3. Two CCs to Public Prosecutor, High Court of AP [OUT]
4. One spare copy

MM



HIGH COURT

SRKJ

DATED:17/04/2023

ORDER

CRLP.No.2656 of 2023

ALLOWED

