

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.11228 OF 2015

ORDER:

1. The petitioner-de facto complainant filed this petition seeking to cancel the bail granted to the 2nd respondent-accused vide order dated 31.8.2015 in CrI.M.P.No.2535 of 2015 by the II Additional Metropolitan Sessions Judge, Hyderabad.
2. Heard and perused the material available on record.
3. The 2nd respondent-accused is the husband of the sister of the petitioner-de facto complainant. On basis of the complaint lodged by the de facto complainant stating that the 2nd respondent murdered her sister, a case was registered against him for the offence under Section 302 IPC. The 2nd respondent was arrested on 9.7.2015. Later, the 2nd respondent filed the above CrI.M.P. seeking regular bail. On 31.8.2015, the learned Sessions Judge having observed that the entire investigation was completed, granted bail to the 2nd respondent on condition of his appearance before the S.H.O concerned on every Sunday between 9 a.m. and 5 p.m., for a period of six weeks from the date of order or till filing of the charge sheet, whichever is earlier. Aggrieved by the same, the de facto complainant filed this petition.
4. The main contention of the learned Counsel for the petitioner is

that the sister of the petitioner was blessed with two daughters, and the statement of the 1st daughter was recorded under Section 164 Cr.P.C. and therefore, there is danger to the life of the daughter of the deceased in the hands of the 2nd respondent. This Court has also gone through the statement of the daughter of the 2nd respondent.

5. Except the above contention, all other contentions raised by the learned Counsel for the petitioner do not necessitate to cancel the bail granted to the 2nd respondent. However, taking into consideration the apprehension of the petitioner that the 2nd respondent may attempt to kill his daughter aged about 13 years, the 2nd respondent is directed to appear before the S.H.O concerned daily in between 10 a.m., and 5 p.m., until further orders, instead of every Sunday. Rest of the order under revision shall remain.

6. Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 11.12.2015

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