

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.5738 of 2018

ORDER :

This criminal petition filed under Section 438 Cr.P.C. by the petitioner, who is A.1 among two accused, in Crime No.223 of 2018 of Banjara Hills Police Station, Hyderabad City, registered originally for the offences punishable under Section 326 IPC, later altered to Section 307 IPC, which makes no difference as both are punishable up to life imprisonment.

2. Heard learned counsel for the petitioner and learned Public Prosecutor, representing the State, and perused the material on record.

3. The contentions in the bail application of the petitioner are that the petitioner is innocent and falsely implicated by her husband whom she deserted and staying with her parents for the past two years by taking opportunity to implicate for the fact that he sustained injuries otherwise and thereby she is entitled to the concession of bail being lady and to take care of her two kids and with no male assistance but her old aged mother.

4. The learned Public Prosecutor opposed the bail application saying that this is a perpetrated and preplanned claim by the petitioner and her so-called paramour, from the very report, and the investigation is in progress and if the petitioner is given the concession of anticipatory bail in the grave crime, she may interfere

with the witnesses and tamper evidence and hurdle the investigation, which is at preliminary stage.

5. Having regard to the above, the criminal petition is dismissed. However, it is not a bar if at all from any changed circumstances in future to file fresh application either regular bail or anticipatory bail, as the case may be, to decide on own merits.

Miscellaneous petitions pending, if any, shall stand closed.

29th June 2018.

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Dr. B. SIVA SANKARA RAO, J

