

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.9446 OF 2021

ORDER:-

This petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner/accused in connection with Crime No.1364 of 2021 of Madhapur (Guttala) Police Station, Cyberabad Commissionerate, wherein the petitioner is alleged to have committed the offences punishable under Sections 452 and 307 of the Indian Penal Code, 1860 (for short 'IPC').

2. A report was lodged by the *de facto* complainant stating that her daughter and son-in-law i.e., the accused herein, picked up quarrel with each other and her daughter is staying with her for the last two months. On 18.11.2021 at about 1845 hours, the accused came to her house and picked up quarrel with all her family members loudly. At that time, her son requested the accused to speak quietly, on which, the accused attacked him with knife on his back with an intention to kill him and fled away from there. Immediately, her son was shifted to Mediover Hospital, Madhapur, for treatment. Basing on the report of the *de facto* complainant, the present crime is registered.

3. Heard Mr.Naraparaju Avaneesh, learned counsel for the petitioner, and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submits the complaint is given by the mother-in-law of the petitioner. Admittedly, there are disputes between the petitioner and his wife. Even as per the complaint, on the date of incident, the petitioner went to his in-laws house and in view of the disputes between the petitioner and his wife, an altercation has taken place and the petitioner attacked his brother-in-law with an intention to kill him. He submits that the petitioner has nothing to do with the incident and he has been implicated falsely in this case in view of the differences between her daughter and petitioner. He further submits that the brother-in-law of the petitioner has not sustained any injuries. Further, the petitioner is languishing in jail from 20.11.2021. Hence, the petitioner's case may be considered for grant of bail.

5. On the other hand, learned Assistant Public Prosecutor submits that investigation is pending and prosecution has yet to receive medical report of the injured. As per the complaint, the petitioner attacked his brother-in-law with an intention to kill him, attacked him with knife. Hence, at this stage, the petitioner is not entitled for bail.

6. Taking into consideration the fact that the petitioner is languishing in jail from 20.11.2021 and admittedly there are disputes between the petitioner and his wife, this Court deems it appropriate to grant bail to the petitioner/accused.

7. Accordingly, this Criminal Petition is allowed and the petitioner shall be enlarged on bail on his executing a personal bond for a sum of

Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the XII Additional Metropolitan Magistrate, Cyberabad at Kukatpally.

Consequently, miscellaneous applications pending, if any, shall stand closed.

LALITHA KANNEGANTI, J

Date :20.12.2021

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Allowed
anticipatory

CRIMINAL PETITION No. 4767 of 2021

01.09.2021

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