

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 383 OF 2022

O R D E R:

This Criminal Petition under Section 438 Cr.P.C. is filed by the petitioner – Accused No.1 seeking bail in the event of his arrest in connection with Crime No. 228 of 2021 on the file of P.S. III Town, Karimnagar, registered for the offence punishable under Section 307 IPC.

2. The case of the prosecution is that one Theetla Sunitha gave a report stating that she married the petitioner and they were blessed with two sons and she filed a criminal case in Karimnagar II Town Police Station against the petitioner as he harassed her physically and mentally. It is alleged that the petitioner took her two sons and left her and subsequently, as the petitioner involved in a murder case, she filed a case seeking divorce. It is also alleged that while so, the petitioner bore grudge against the de facto complainant and on 11.11.2021, at about 01.30 hours, while herself and her mother were sleeping in the house, her sons came there and assaulted her mother and as a result, her mother sustained severe injuries on her head, back and hands.

3. Learned counsel for the petitioner Sri V. Srikantha Rao submits that in view of the strained relation between the petitioner and his wife, the present complaint is foisted against him. He submits that in the complaint, the de facto complainant made wild allegations against her two sons and it

is alleged that at the behest of the petitioner, all of them colluded together to do away the life of the de facto complainant and his mother. He submits that the petitioner, about three months back, underwent operation to both his legs and is not in a position to move and in those circumstances, the petitioner's case may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor submits that investigation is pending and at the instigation of the petitioner, other accused also participated in the crime. He submits that in view of the allegations, the petitioner is not entitled for grant of pre-arrest bail.

5. Taking into consideration the health condition and strained relationship between the parties, this Court deems it appropriate to grant pre-arrest bail to the petitioner.

6. Accordingly, this Criminal Petition is allowed. Petitioner – Accused No.1 shall surrender before the Station House Officer, III Town Police Station, Karimnagar in connection with Crime No. 228 of 2021 within one week from today and on such surrender and executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, he shall be released on bail. It is made clear that no further extension of time will be granted.

LALITHA KANNEGANTI, J

02nd February 2022

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