

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.4550 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioner/Accused No.7 in the event of her arrest in Crime No.57 of 2022 on the file of Pulkal Police Station, Sangareddy District, registered for the offences punishable under Sections 302, 324 and 504 read with Section 34 of Indian Penal Code and Section 3(2)(v)(v.a) of SC/STs (POA) Act, 1989 amendment Act – 2015.

2. Heard learned counsel for petitioner/Accused No.7 and learned Assistant Public Prosecutor for respondent-State. Perused the record.

3. The case of the prosecution is that on 15.04.2022, there was a scuffle while the *defacto* complainant was grazing the cattle in his uncle's land and the *defacto* complainant's father was grazing goats in the adjacent land. Meanwhile, A1 and A2 attacked the *defacto* complainant with sticks and abused him in filthy language as to why he was grazing cattle in the said land, noticing the same the *defacto*

complainant's father intervened and tried to pacify the issue, A1 pushed the deceased on to the ground, then A3 who was watering in the adjacent land got involved in the issue and took sticks from *defacto* complainant's father hands and beat him, in the said process the deceased fell on the ground and when shifted to the hospital the father of the *defacto* complainant died.

4. On perusal of First Information Report, though only three persons were named in the FIR, this petitioner is shown as A7 in the remand report who is the wife of the A1. Even according to the prosecution A1 is the deceased elder brother. When the entire narration of the incident was given by the *defacto* complainant who is closely related, the question of not narrating the name of this petitioner does not arise as he has not stated anything about this petitioner who is none other than the *defacto* complainant's paternal aunt, the relief of anticipatory bail can be granted to this petitioner.

5. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.7 shall be enlarged on bail in the event of her arrest subject to the following conditions:

i) The petitioner/Accused No.7 is directed to surrender before the Station House Officer, Pulkal Police Station, Sangareddy District, within one week from today, and on such surrender, she shall be enlarged on bail on her executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties to the like sum each to its satisfaction.

ii) On such release, the petitioner/Accused No.7 shall appear before the investigating authorities as and when required.

iii) The petitioner/Accused No.7 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

6. As a sequel thereto, miscellaneous applications, if any pending, shall stand closed.

Date: 13.06.2022
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K.SURENDER, J