

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6045 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking bail to the petitioner who is arrayed as Accused in the event of her arrest in Crime No.39 of 2022 on the file of Station House Officer, Miryalguda Rural Police Station, Nalgonda District registered for the offences punishable under Sections 341, 355 and 504 of Indian Penal Code.

2. Heard learned counsel for the petitioner/Accused and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The allegation against this petitioner is that she was part of marriage celebration that happened on 22.02.2022 and during the said celebrations an altercation ensued amongst the participants in the said function. In the said altercation, the petitioner received injuries and in the said process she manhandled the deceased by beating him with a Chappal. Two days thereafter it is alleged that the deceased consumed some poison, on account of which after

being treated in the hospital for nearly 15 days, he died on 07.03.2022 pursuant to which the present complaint is lodged.

4. Learned counsel for the petitioner submits that even according to the complaint, the deceased had in fact caused injuries to this petitioner, for which reason the petitioner reacted by beating him with a chappal.

5. Learned Assistant Public Prosecutor opposes the bail application on the ground that the deceased was humiliated in the marriage party by this petitioner leading to the deceased committing suicide.

6. As seen from the complaint a fight ensued in the marriage party, in the said process, this petitioner received injuries in the hands of the deceased for which reason this petitioner reacted by beating the deceased with a chappal. In the said circumstances, when the petitioner reacted to the incident that occurred in the function it cannot be *prima facie* said that it amounts to an act of abetment as required under Section 109 of Cr.P.C. for which reason the petitioner can be granted the relief of anticipatory bail.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused shall be enlarged on bail in the event of her arrest subject to the following conditions:

- i) The petitioner/Accused is directed to surrender before the Station House Officer, Miryalguda Rural Police Station, Nalgonda District within one week from today and on such surrender, she shall be enlarged on bail on her executing personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties to the like sum each, to its satisfaction.
- ii) The petitioner/Accused shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of four (04) weeks.
- iii) The petitioner/Accused shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 18.07.2022
ns