

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.6692 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioners who are arrayed as Accused Nos.1 and 2 in the event of their arrest in Crime No.84 of 2022 on the file of Station House Officer, Dharur Police Station, Vikarabad registered for the offences punishable under Section 307 read with Section 34 of Indian Penal Code.

2. Heard learned counsel for petitioners/Accused Nos.1 and 2 and learned Assistant Public Prosecutor for respondent-State. Perused the record.

3. The case against the petitioners is that both the petitioners who are husband and wife attacked the *de facto* complainant and caused injuries.

4. Learned counsel for the petitioners submits that a complaint was filed by 1st petitioner against the *de facto* complainant on 18.04.2022 which was registered for the offence under Section 307

of IPC and was remanded to custody. As a counter blast the present complaint is filed by the *de facto* complainant.

5. As seen from the complaint and the injury certificate produced by the learned Assistant Public Prosecutor, the *de facto* complainant received grievous injuries and compound fracture for the reason of stone pelting and manhandling as stated by the Medical Officer, Government Community Health Centre, Vikarabad.

6. In the present complaint since there are no specific allegations against the 2nd petitioner/Accused No.2, she can be granted the relief of anticipatory bail.

7. Accordingly, the 2nd petitioner/Accused No.2 shall be enlarged on bail in the event of his arrest subject to the following conditions:

i) The 2nd petitioner/Accused No.2 is directed to surrender before the Station House Officer, Dharur Police Station, Vikarabad 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 2nd petitioner/Accused No.2 shall appear before the investigating authorities as and when required.

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

8. The Criminal Petition in so far as 1st petitioner/Accused No.1 is concerned for grant of anticipatory bail, is dismissed. However, the 1st petitioner/Accused No.1 if so advised to surrender before the Concerned Court by filing an application seeking bail with due service to the Public Prosecutor within two weeks from the date of this order. On such surrender, the concerned Court shall dispose of the bail application, on merits, within two working days after giving opportunity of hearing to the Public Prosecutor.

9. Accordingly, the Criminal Petition is partly allowed.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 02.08.2022

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