

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.10207 of 2021

O R D E R:

This Criminal Petition under Section 438 Cr.P.C. is filed by petitioner – Accused No.3 in connection with Crime No.155 of 2021 of Mahadevpur Police Station, Jaishankar Bhupalpally District, registered for the offences punishable under Sections 307, 324 r/w 34 of IPC seeking pre-arrest bail.

2. A report was lodged by the *de facto* complainant stating that petitioner along with A-1 and A-2 hatched a plan to kill her husband and on 30.11.2021 when the husband of *de facto* complainant was going to water plant, they followed him and on the instructions of petitioner, A-1 and A-2 attacked him with sticks, beat him, caused severe injuries and when the son of *de facto* complainant tried to rescue his father, they also beat him and caused injuries. Basing on the said report, the present crime was registered.

3. Heard M/s Pillix Law Firm, learned counsel for petitioners and learned Assistant Public Prosecutor appearing on behalf of respondent-State.

4. Learned counsel for petitioner submits that petitioner is arrayed as A-3 and even as per the complaint, A-1 and A-2 beat the husband and son of *de facto* complainant. He submits that in view of civil disputes between the parties, petitioner has been implicated in this case. He submits that as already A-1 and A-2

were granted bail, petitioner being a lady, her case may be considered for grant of pre-arrest bail.

5. *Per contra*, learned Assistant Public Prosecutor submits that there are allegations against the petitioner that she instigated the other accused to do away with the life of husband of *de facto* complainant, hence, petitioner is not entitled for pre-arrest bail.

6. Taking into consideration the fact that as per the complaint the allegations are against A-1 and A-2 and further in view of civil dispute between the parties, this Court deems it appropriate to grant pre-arrest bail to the petitioner.

7. In the result, criminal petition is allowed and the petitioner / A-3 shall be enlarged on bail in the event of her arrest in connection with Crime No.155 of 2021 of Mahadevpur Police Station, Jaishankar Bhupalpally District on her executing a bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties each for a like sum to the satisfaction of Station House Officer, Mahadevpur Police Station, Jaishankar Bhupalpally District. The petitioner shall cooperate with investigation and shall not threaten or influence the witnesses.

LALITHA KANNEGANTI, J

5th January, 2022

PVD

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

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05.01.2022

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