

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.9239 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioner who is arrayed as Accused No.2 in the event of her arrest in Crime No.345 of 2021 on the file of Station House Officer, Kukatpally Police Station, Cyberabad, registered for the offence punishable under Section 307 read with Section 34 of Indian Penal Code and Section 3(2)(v) of SC/ST (POA) Act.

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

3. Briefly the case of the prosecution is that the aforesaid crime was registered on 10.04.2021 on the allegation that this petitioner and her mother-in-law allegedly poured kerosene on the victim. Having received burnt injuries she has joined in the hospital. However, in the dying declaration the presence of this petitioner along with her mother-in-law is stated and it is not stated specifically that this petitioner poured kerosene and lit fire.

4. In the peculiar facts and circumstances of the case, this petitioner who is the house wife can be granted the relief of anticipatory bail.

5. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.2 shall be enlarged on bail in the event of her arrest subject to the following conditions:

i) The petitioner/Accused No.2 is directed to surrender before the Station House Officer, Kukatpally Police Station, Cyberabad within ten (10) days from today, and on such surrender, she shall be enlarged on bail on her executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with two sureties for a like sum each, to its satisfaction.

ii. On such release, the petitioner/Accused No.2 shall appear before the concerned Station House Officer on everyday at 10.00 AM for a period of ten (10) days and thereafter as and when required for the purpose of investigation.

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

Miscellaneous applications, if any, pending shall stand closed.

Date: 28.10.2022
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K.SURENDER, J