

**THE HON'BLE SRI JUSTICE K.SURENDER**

**CRIMINAL PETITION No.7010 of 2023**

**ORDER:**

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused No.1 seeking anticipatory bail in the event of his arrest in connection with Crime.No.351 of 2023 on the file of Alwal Police Station, Cyberabad, registered for the offences under Sections 307 and 498-A of IPC.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The *de-facto* complainant is the wife of this petitioner. Their marriage had taken place on 21.05.2014. Thereafter, a boy was born on 04.03.2015. However, due to differences between the spouses, panchayats were held. It is alleged in the complaint that this petitioner used to beat his wife under the influence of alcohol. On 17.04.2023, while the *de-facto* complainant, her son and mother were in the house, the petitioner and others tried to kill the *de-facto* complainant by cutting electric wires in such a way that *de-facto* complainant would come into contact with the said live wires.

4. On instructions, learned Additional Public Prosecutor would submit that no injuries were received by the *de-facto* complainant and others.

5. *Prima facie*, there is no evidence of attempt to murder in this case. Keeping in view that the petitioner is a Government employee working as Army Officer at Dehradun, this Court deems it appropriate to grant anticipatory bail, more so, for the reason of differences between the spouses, subject to the following conditions:-

- 1) The petitioner/Accused No.1 is directed to surrender before the Station House Officer, Alwal Police Station, Cyberabad on 10.08.2023. Upon such surrender, the said Station House Officer shall release the petitioner/Accused No.1 on bail, on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to his satisfaction.
- 2) On such release, the petitioner/Accused No.1 shall appear before the concerned police as and when required for the purpose of investigation.
- 3) The petitioner/Accused No.1 shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

6. Accordingly, the Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 04.08.2023  
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**K.SURENDER, J**

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**Dt.04.08.2022**

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