

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7040 OF 2023****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioner/A1 in the event of her arrest in Crime No.76 of 2023 on the file of Bijinepally Police Station, Nagar kurnool District registered for the offence punishable under Section 306 of Indian Penal Code.

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

3. The allegation is that the petitioner is the wife of the deceased and the petitioner quarreled with the deceased and went to her parents house. When requested to return, the petitioner refused and the parents of the petitioner also refused to send her back. For the said reason, he poured kerosene on his body and lit fire and died. Even during the course of dying declaration, it is reported to the Magistrate that the petitioner, who is the wife of the deceased went to her parents house after quarrelling with him. Basing on the said complaint, the present FIR was registered for the offence under 174

of IPC and subsequently section of law altered to Section 306 of IPC. Prima facie, there are no ingredients to attract the offence under Section 306 of IPC.

4. Accordingly, the Criminal Petition is allowed and the petitioner/A1 shall be enlarged on bail in the event of her arrest subject to the following conditions:

i) The petitioner/A1 is directed to surrender before the Bijinepally Police Station, Nagar Kurnool District on 10.08.2023, and on such surrender, she shall be enlarged on bail on her executing personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties to the like sum each to its satisfaction.

ii) The petitioner/A1 shall appear before the concerned Station House Officer on every Monday between 10.00 AM and 01.00 PM for a period of two (02) months, for the purpose of investigation.

iii) The petitioner/A1 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

5. As a sequel thereto, miscellaneous applications, if any pending, shall stand closed.

Date:07.08.2023
DGR

K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.07.08.2023

DGR