

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 7312 of 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/Accused seeking anticipatory bail in the event of her arrest in connection with Crime.No.70 of 2023 on the file of Alampur Police Station, Jogulamba Gadwal District, registered for the offences punishable under Sections 417, 420 and 376 (1) (n) r/w. 109 of Indian Penal Code (for short 'IPC').

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.

3. The petitioner is the mother of A-1. It is alleged in the complaint that A-1 had love affair with two sisters and had sexual relation with both of them.

4. As seen from the complaint, the allegation is that A-1 who is the son of this petitioner was having an affair with the *de-facto* complainant. However, the allegation against this petitioner is that she had knowledge about the misdeeds of A-1. The offences alleged against A-1 are cheating and committing rape. None of the ingredients of provisions are made out assuming that this

petitioner had knowledge about A-1 having an affair with the *de-facto* complainant. Since there are no specific allegations against this petitioner, she can be granted the relief of anticipatory bail subject to the following conditions:

- 1) The petitioner/Accused is directed to surrender before the Station House Officer, Alampur Police Station, Jogulamba Gadwal District. Upon such surrender, the said Station House Officer shall release the petitioner/Accused on bail, on her executing personal bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties for a like sum each to his satisfaction.
- 2) On such release, the petitioner/Accused shall appear before the concerned Police as and when required for the purpose of investigation.
- 3) The petitioner/Accused 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.

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

K.SURENDER, J

Date : 11.08.2023
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