

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.7467 OF 2023****ORDER:**

1. This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner/Accused in S.C.No.282 of 2022, on the file of V Additional District Judge, Bodhan, registered for the offences under Sections 498-A and 302 of IPC.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The petitioner prays to be released on bail for the offences under Sections 498-A and 302 of IPC. On the basis of the complaint of the father of the deceased on 07.09.2022 that the petitioner herein who is son-in-law caused death of his daughter, the petitioner was arrested and remanded to judicial custody on 08.09.2022. The case of the prosecution is that petitioner was married to the deceased in the year, 2016. After marriage, they spent

marital life happily. However, petitioner started suspecting the deceased that she was having an affair and harassed her physically and mentally. A panchayat was held in the presence of the elders and the village elders pacified the petitioner to live cordially. However, on 06.09.2022, it is alleged that the petitioner slit her throat with a knife. Even before committing the murder, he called the sister of the deceased and informed that he is going to kill the deceased and on the next day they can collect her dead body. The Police concluded the investigation and found that the motive for murder is that the petitioner was suspecting the character of the deceased that she was having an affair with someone else. The petitioner is in jail since 08.09.2022 and it is submitted that charges were also framed.

4. Learned Additional Public Prosecutor does not dispute that charges are framed and prayed the petition to be dismissed since earlier applications were dismissed as there are no changed circumstances.

5. As seen from the earlier orders, the refusal was prior to framing of charges and keeping in view that the petitioner is in jail since 08.09.2022 and the trial is likely to take time, this Court deems it appropriate to grant the relief of regular bail to the petitioner, subject to following conditions:

- i) The petitioner/Accused shall execute personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, for a like sum each to the satisfaction of Additional Judicial First Class Magistrate at Bodhan.
- ii) The petitioner/Accused after release shall appear before the concerned Court on every date of hearing.
- iii) The petitioner/Accused shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

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

K.SURENDER, J

Date: 04.09.2023
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THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.11.09.2023

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