

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.8829 OF 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/Accused in connection with Crime No.339 of 2023 on the file of Armoor Police Station, Nizamabad District, registered for the offences punishable under Sections 498-A and 307 of IPC.

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

3. The wife of the petitioner lodged a complaint on 16.07.2023 alleging that she was married to this petitioner and they are blessed with two sons. The petitioner was addicted to alcohol and on 15.07.2023, he picked up quarrel with his wife and tried to strangle her with the saree of his wife/*de-facto* complainant. The mother-in-law intervened and thereafter, the complaint was filed.

4. Learned counsel appearing for the petitioner would submit that minor disputes between husband and wife

have been sorted out and have been living together. The allegation under Section 307 of IPC has not been made out according to the complaint.

5. As seen from the complaint, it appears that fights between husband and wife were normal in the daily life. Further, it appears that on the said day, under the influence of alcohol, he tried to strangle her for not giving money. Since disputes are between spouses, the petitioner can be granted anticipatory bail, subject to the following conditions:

- 1) The petitioner/Accused is directed to surrender before the Station House Officer, Armoor Police Station, Nizamabad District, on 25.09.2023. On such surrender, the said Station House Officer shall release the petitioner/Accused on bail, on his executing personal bond for a sum of Rs.20,000/- (Rupees Twenty 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 Station House Officer at 10:00 a.m. on every Monday and Wednesday for a period of four weeks and

thereafter, 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.

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

Date : 20.09.2023
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K.SURENDER, J

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Dt.20.09.2023

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