

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 8890 of 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioners/Accused Nos.5 and 6 seeking bail in the event of their arrest in connection with Crime.No.156 of 2021 on the file of Valigonda Police Station, Rachakonda Commissionarate, registered for the offence under Section 302 r/w. 34 of IPC.

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

3. The petitioners are seeking relief of anticipatory bail for the reason of the Investigating Officer filed a memo seeking alteration to Section 302 of IPC.

4. The crime was initially registered on 09.06.2021 and alteration memo was filed on 30.03.2022. The basis for alteration is the statement of the parents of the deceased recorded under Section 164 Cr.P.C. In the said statement made before the learned Magistrate, the accused allegedly harassed her for one reason or the other and ultimately they

have killed her and threw her body in the outskirts of the village. The said statement appears to have been assumption regarding accused committing the murder.

5. The post mortem report is produced before this Court. The Doctor could not identify any injuries on the body due to putrefaction. There is no evidence that the deceased was killed and thrown in the well. Further, the cause of death according to the post mortem report was due to drowning induced asphyxia.

6. In the said circumstances, the relief of anticipatory bail is granted to the petitioners subject to the following conditions:-

- 1) The petitioners/Accused Nos.5 and 6 are directed to surrender before the Station House Officer, Valigonda Police Station, Rachakonda Commissionerate on 25.09.2023. Upon such surrender, the said Station House Officer shall release the petitioners/Accused Nos.5 and 6 on bail, on their executing personal bond for a sum of Rs.20,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to his satisfaction.

- 2) On such release, the petitioners/Accused Nos.5 and 6 shall appear before the concerned police as and when required for the purpose of investigation.
- 3) The petitioners/Accused Nos.5 and 6 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.

7. 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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