

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.11123 OF 2023****ORDER:**

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 Crime No.104 of 2023 on the file of Khairathabad Police Station, Hyderabad. The offences alleged against the petitioner is under Section 302 of the Indian Penal Code.

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

3. The case of the prosecution is that on 31.03.2021, the son of the petitioner was found dead. The investigation revealed that this petitioner throttled her son and threw him into the water sump with an intention to kill him. The body was sent to Postmortem examination and the opinion was that the boy died due to smothering and pressure over the neck.

4. Learned Counsel appearing for the petitioner would submit that the incident happened on 31.03.2021 and after 2 ½ years, petitioner was arrested without any basis. In fact, it was the

petitioner-mother who lodged the complaint about the son and the petitioner is falsely implicated. He further submits that the petitioner is now pregnant.

5. Keeping in view that major part of the investigation is complete and the petitioner is now carrying pregnancy, the relief of regular bail to the petitioner can be considered subject to the following conditions:

i) The petitioner/Accused shall execute a personal bond for a sum of Rs.25,000/- (rupees twenty five thousand only) with two sureties for a likesum each to the satisfaction of VII Additional Metropolitan Sessions Judge, Hyderabad.

ii) The petitioner/Accused shall appear before the concerned Station House Officer as and when required, for the purpose of investigation.

iii) The petitioner/Accused shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

6. Accordingly, the criminal petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 15.11.2023
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Dt.15.11.2023

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