

**THE HON'BLE SRI JUSTICE K.SURENDER**

**CRIMINAL PETITION No.11798 OF 2023**

**ORDER:**

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused No.2 seeking bail in the event of her arrest in connection with Crime No.64 of 2023 on the file of Zaffargadh Police Station, Jangaon District, registered for the offences under Sections 302 and 109 r/w. 34 of IPC.

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 Zaffargadh Police is that the deceased, A-1 and others had disputes. A-1, who is the husband of this petitioner called the deceased to attend a panchayat. However, he did not turn up. The son of A-1 who is minor went to the fields of the deceased and asked him to come to the panchayat. Since he refused, son of A-1 pushed him to the ground and beat him with stick resulting in his death. However, this petitioner and her husband/A-1 were also implicated in the case.

4. The allegation as seen from the remand report is that this petitioner went away negligently after the deceased was shifted to hospital. Even according to the remand report of A-1 and his son,

this petitioner was not even present when the alleged incident had taken place. For the said reason, the relief of anticipatory can be granted, subject to following conditions:-

- 1) The petitioner/Accused No.2 is directed to surrender before the Station House Officer, Zaffargadh Police Station, Jangaon District, on or before 11.12.2023. Upon such surrender, the said Station House Officer shall release the petitioner/Accused No.2 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 No.2 shall appear before the concerned Police for the purpose of investigation, as and when required.
  - 3) The petitioner/Accused No.2 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.

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**K.SURENDER, J**

Date : 04.12.2023  
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**THE HON'BLE SRI JUSTICE K.SURENDER**

**CRIMINAL PETITION No. 11798 of 2023**  
**Dt.04.12.2023**

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