

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO.840 OF 2024

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner - accused No.2 seeking anticipatory bail in the event of his arrest in connection with Crime No.825 of 2023 on the file of Station House Officer, Jedcherla Police Station, Mahabubnagar District, registered for the offences punishable under Sections 302, 307, 376, 506(II) and 201 of the Indian Penal Code (for short 'IPC').

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for respondent No.1 - State and perused the record.

3. The case of the prosecution is that this petitioner was having an affair with the wife of accused No.1. When accused No.1 entered into the tailor shop, he found that his wife and this petitioner were together, as such, he attacked both his wife and this petitioner. However, the police registered the case under Sections 302, 307, 376, 506(II) and 201 of IPC. Against accused No.1 the offences under Sections 302 and 307 of IPC are attracted since he had murdered his wife and

injured this petitioner. Insofar as the petitioner is concerned, the offence under Section 376 of IPC is alleged, however, only confession forms basis to add the allegation of Section 376 of IPC against the petitioner.

4. In the peculiar circumstances of the case, this Court deems it appropriate to grant the relief of anticipatory bail to the petitioner, subject to the following conditions:-

i) The petitioner - accused No.2 is directed to surrender before the Station House Officer, Jadcherla Police Station, Mahabubnagar District on or before 05.02.2024. On such surrender, the said Station House Officer shall release the petitioner on bail, on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to his satisfaction.

ii) On such release, the petitioner - accused No.2 shall appear before the concerned police on every Monday and Wednesday for a period of four (04) weeks for the purpose of investigation and thereafter, as and when required.

iii) 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, this Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

JUSTICE K.SURENDER

Date: 29.01.2024
ns/lpd