

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12923 of 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioners/accused Nos.1 and 3 seeking anticipatory bail in the event of their arrest in connection with F.I.R No.1389 of 2023 on the file of the Madhapur Police Station, Cyberabad, registered for the offences punishable under Sections 307, 347, 379 and 411 of the Indian Penal Code (for short 'IPC').

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

3. The de facto complainant is mother-in-law of petitioner No.1. She filed a private complaint before the Magistrate Court on 06.11.2023. In the said complaint, she alleged that petitioner No.1 married her daughter by suppressing the fact of his earlier marriage. Further, petitioner No.1 was harassing her and also beat her. The son of the de facto complainant intervened and tried to file a complaint, however, petitioner No.1 tried to kill him. The alleged incident had taken place in the late hours of 12.10.2023. The said threat and trying to kill him is on the account of the complaint filed by the son of de facto complainant.

4. Learned counsel for the petitioners would submit that there is a delay of nearly 25 days in lodging the private complaint. The said complaint does not disclose as to what are the injuries that were received and no acts are attributed to infer that there was an attempt to kill the son of the de facto complainant.

5. It appears that on account of the disputes between spouses, the complaint has been filed. Hence, this Court deems it appropriate to grant relief of anticipatory bail to the petitioners, subject to the following conditions:

- 1) The petitioners/accused Nos.1 and 3 is directed to surrender before the Station House Officer, PS, Madhapur, Cyberabad, on or before 09.01.2024. Upon such surrender, the said Station House Officer shall release the petitioners/accused Nos.1 and 3 on bail, on their executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties for a like sum each to his satisfaction.
- 2) On such release, the petitioner/accused Nos.1 shall appear before the concerned police concerned Station House Officer on every Monday for a period of eight (08) weeks and thereafter, as and when required, for the purpose of investigation. A3 shall appear as and when required.
- 3) The petitioners/accused Nos.1 and 3 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 : 02.01.2024
gvl/ktm

K.SURENDER, J

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Dt.02.01.2024

gvl/ktm