

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14748 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner in Crime No.684 of 2024 of Amberpet Police Station, Hyderabad.

2. The brief facts of the case are that the *de-facto* complainant lodged a report alleged that her son and accused performed love marriage with the accused and out of their wedlock they blessed with a baby boy and from the date of marriage, accused used to quarrel with her on one or another issues, due to which *de facto* complainant is staying away from her son from 2 years and in July, 2024, after discussing the issue in the presence of elders, accused agreed to look after her and since then they all are staying under one roof and on 31.10.2024, on the occasion of Diwali festival, *de facto* complainant took video of her grand son while he was lighting crackers, in that regard, the accused quarreled with her son to delete the video and threatened to kill her, the accused took a cooker and hit on her head causing bleeding injury on her head. Hence, a case was registered vide Crime No.684 of 2024

before the Amberpet Police Station, Hyderabad, for the offences punishable under Sections 118(1), 351(2), 352 of BNS.

3. Heard Sri J.Sunitha, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent No.1-State.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and she is no way concerned with the alleged offences. He *secondly* submitted that the petitioner is not intentionally hit the *de facto* complainant, which was accidentally happen. He *thirdly* submitted that petitioner is now 8 months pregnant. He *lastly* submitted that previously, anticipatory bail application of the petitioner *vide* Crl.M.P.No.5249 of 2024 in was dismissed by the II Additional Sessions Judge at Hyderabad, on 29.11.2024, without valid reasons. Therefore, he prayed the Court to grant of anticipatory bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the injuries are in grievous in nature

and the investigation is not yet completed, therefore, granting of bail to the petitioner at this stage does not arise and he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and material available on record, considering medical condition of the petitioner and and circumstances of the case, this Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioner.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of P.S.Amberpet, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioner shall appear before the concerned Station House Officer on every Monday between 9:00 A.M. to

5:00 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.

- iii. The petitioner shall abide by the other condition stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 12.12.2024
gv

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