

THE HON'BLE Ms. JUSTICE B.S.BHANUMATHI

Criminal Petition No.263 of 2023

ORDER:

This Criminal Petition is filed under Section 438 Cr.P.C. to direct the respondent/police to enlarge the petitioner/accused No.2 on bail in the event of arrest in connection with the Crime No.926 of 2022 of Ajith Singh Nagar Police Station, Vijayawada City, NTR District for the offences punishable under Sections 306 & 498 A IPC.

2. Heard Ms K.S.G.Padmavati, learned counsel representing Ms Marella Radha, learned counsel for the petitioner/A-2. She submitted that the petitioner was falsely implicated in the offence after the death of the sole accused who is the husband of the deceased Jyothi. In this regard, she further submitted that initially when the statement of the sister of the deceased was recorded and case was registered, there is no reference at all of the petitioner for the commission of the offence in any manner, however it is only after the death of the sole accused on 01.12.2022, a false statement of the sister of the deceased i.e. the *de facto* complainant was again recorded on 02.12.2022 falsely implicating the petitioner, just for the purpose of retaining the case.

3. The learned Assistant Public Prosecutor submitted that there are well founded allegations against the petitioner for commission of the serious offence and that the investigation is still not completed.

4. Perused the record.

5. On 28.11.2022, the *de facto* complainant by name Duvvarapu Satyavathi, W/o Rambabu gave a complaint and as per the complaint, all the attribution was made against the husband of the deceased only and there is no iota of allegation against any other relative, however the petitioner was implicated in the offence after recording the statement under Section 161 Cr.P.C. of the very same complaint on 02.12.2022 by including the name of the petitioner also as though she also harassed the deceased along with the deceased accused. Any further observations are not appropriate at this juncture.

5. Under these circumstances, it is a fit case to grant anticipatory bail with certain conditions.

6. In the result, the criminal petition is allowed. The petitioner is directed to be released on bail in the event of her arrest in Crime No.926 of 2022 of Ajith Singh Nagar Police Station, Vijayawada City, NTR district on furnishing personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties each for the like sum to the satisfaction of the Station House Officer, Ajith Singh Nagar Police Station, Vijayawada City, NTR District, and subject to complying the following conditions:

(i) the petitioner shall be available for investigation as and when required by the Investigating Officer;

[\(ii\)](#) the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Investigating Officer;

[\(iii\)](#) the petitioner shall not leave the jurisdiction of the Court without the previous permission of the S.H.O. concerned;

Pending miscellaneous petitions, if any, shall stand closed.

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**B.S.BHANUMATHI, J**

Dt. 01<sup>st</sup> February, 2023

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