

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

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CRIMINAL PETITION No.6904 of 2015

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Between:

Yandra Nagamani & another

..Petitioners/ accused Nos.2 and 3

And

The State of Andhra Pradesh
represented by its Public Prosecutor
High Court at Hyderabad & another

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 03-08-2015

SUBMITTED FOR APPROVAL:

**HONOURABLE Dr. JUSTICE B.SIVA SANKARA
RAO**

1. Whether Reporters of Local newspapers
Yes/No
may be allowed to see the Judgment?

2. Whether the copies of judgment may be
marked to Law Reporters/Journals

Yes/No

3. Whether Their Lordship wish to
see the fair copy of the Judgment?

Yes/No

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.6904 of 2015

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ORDER :

This Criminal Petition is filed by the Petitioners/ accused Nos.2 &
3 under Section 482 Cr.P.C seeking to quash the FIR No.69 of 2015 of

Palakol Rural Police Station, Palakol, West Godavari District, registered for the offences punishable under Sections 498-A, 307 r/w 109 IPC against the petitioners/ accused Nos.2 and 3 and accused No.1.

2) Heard learned counsel for the petitioners/ accused Nos.2 and 3 and 1st respondent—State represented by learned Public Prosecutor before admission and before ordering notice to 2nd respondent—de facto complainant. Perused the material on record.

3) The contention of the petitioners is that since there are no allegations to attract the offence under Section 307 IPC against the petitioners whereas it is the submission by the learned public prosecutor that the case is under investigation and there is a stray sentence about their instigation for attempt of murder on de facto complainant and thereby there are no grounds to admit for quash.

4) A perusal of the material falls short for this Court to admit the petition filed under section 482 Cr.P.C to quash the FIR proceedings but for the investigation shall go on.

5) Having regard to the above as the factual matrix show they are not the participants to the alleged attempt on her life by her husband but for earlier abetted, they are entitled to the concession of regular bail, the Criminal Petition is disposed of, giving liberty to petitioners to surrender themselves before the learned Sessions Judge and move for regular bail with notice to Additional public prosecutor concerned and in such event, the learned Sessions Judge, shall grant bail with necessary conditions on the same day. Needless to say, at post bail stage, pending investigation their presence before the Court concerned can be dispensed with. Further remedies are left open to them, in the event of police after filing final report and after taking cognizance by the learned Magistrate.

6) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.03.08.2015
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HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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