

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

CrI.P. No. 14878 of 2016

DATE: 18.10.2016

Between:

Kinnera Venkata Rameswara Rao

.. Petitioner /  
accused

And

The State of Andhra Pradesh

.. Respondent



ORDER:-

This Criminal Petition is filed under Section 437 read with Section 439 Cr.P.C. seeking to release the petitioner on bail pending investigation, enquiry and trial in Crime No. 495 of 2016 registered by the Station House Officer, Penamaluru Police Station, Vijayawada City pending before the Court of II Additional Chief Metropolitan Magistrate, Vijayawada, Krishna District.

The brief case of the prosecution as per the complaint made to the Inspector of Police is that the *de facto* complainant – M. Suneeta is working in Prohibition and Excise Department as Assistant Excise Superintendent. While so, in the month of July, 2015, one K.V.Rameshwara Rao, resident of Padmaraonagar, Secunderabad took Rs.3.00 lakhs each from two people namely Devi Reddy Dharma Rao and Vanga Srikanth Kanna, totaling Rs.6.00 lakhs stating that his wife is working in Excise Department in a good position and he will get good jobs to each of them through outsourcing and took the money but did not provide them any jobs. The aforementioned two people approached the *de facto* complainant in September, 2015 and made a huge ruckus and she tried to pacify them by asking time saying that she would enquire the same and return their money back. When the *de facto* complainant confronted the petitioner – accused,

who is her husband about the same, he told her to provide some job or the other and used to continuously harass her. As she never agreed to her husband's constant pestering, her husband tortured her.

It is further stated that her husband asked her to take a loan of Rs.60.00 lakhs from anyone on the ground that he cannot be a medical representative for life and that in the "New Bar Policy" she should see to it that her husband gets a licence for a Bar and Restaurant so that he will be settled in his life. As Rs.6.00 lakhs was not returned and the same was obtained by cheating for providing jobs her husband and his friends were threatening her over phone. Those two people abused her in bad language and also threatened to do various acts in case jobs are not given.

It is further stated that as she is suffering from Lumbar and Cervical Spondylities and due to the same she took leave even for the previous month. As she is suffering persistently with bone problem, her husband, who has been working in Medical Field assured that she would be relieved of her health problem and gave her 40 loose tablets without wrapper to use. Since he told that she will get rid of her problem she started taking two tablets daily for twenty days, as a result, her skin allergy increased a lot, as such, she went for medical

test. The doctors told her that poisonous substances have reached her blood because of the tablets consumed by her.

As argued by the learned counsel for the petitioner, the petitioner is staying in Hyderabad and the *de facto* complainant is posted at Vijayawada. They have no matrimonial disputes, however they are staying separately due to professional commitments.

The learned Additional Public Prosecutor appearing on behalf of the State has submitted that Medical opinion has not been received and the investigation is pending and charge sheet is yet to be filed.

Keeping in view the facts recorded above and as there is no specific complaint against the petitioner except the fact that the wife of the petitioner-accused alleging that her husband had taken an amount of Rs.6.00 lakhs from two persons on the false promise to provide jobs, which is subject matter of trial, this Court, without going into merits of the case, is of the opinion that this is a fit case to grant bail to the petitioner.

Accordingly, the Sessions Judge / Full Additional Charge, Mahila Court, Vijayawada is directed to enlarge the petitioner on bail on condition that he executes a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two

sureties for a like sum each to the satisfaction of the Sessions Judge / Full Additional Charge, Mahila Court, Vijayawada.

Accordingly, this Criminal Petition is allowed.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

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SURESH KUMAR KAIT, J

18.10.2016

bcj

