

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

[Special Original Jurisdiction]

FRIDAY THE TWENTY FIFTH DAY OF NOVEMBER  
TWO THOUSAND AND SIXTEEN

PRESENT  
**HONOURABLE SRI JUSTICE SURESH KUMAR KAIT**

**CRIMINAL PETITION NO. 16296 OF 2016**

Between:

Duggirala Kanakadurga Lakshmi  
Ganapathi Prasad Sharma  
[DKLG Prasad Sharma] ... Petitioner/Accused

V/s.

The State of Andhra Pradesh  
Represented by its Public Prosecutor [AP]  
High Court of Judicature for the State  
of Telangana & Andhra Pradesh,  
Hyderabad. ... Respondent  
Through the Station House Officer,  
Padmanabham Police Station,  
Visakhapatnam district.

Counsel for the Petitioner: Sri K L N Swamy

Counsel for the Respondent: Public Prosecutor [AP]

The court made the following: [order follows]

**HONOURABLE SRI JUSTICE SURESH KUMAR KAIT****CRIMINAL PETITION NO. 16296 OF 2016****ORDER :**

This Criminal Petition is filed by the petitioner/accused under section 438 of Cr.P.C. seeking to enlarge him on bail in the event of his arrest in unregistered crime by the Station House Officer, Padmanabham Police Station, Visakhapatnam district on the complaint to be lodged by Nanaji and Giri for the offence under section 306 of IPC.

2. Learned counsel appearing on behalf of the petitioner submits that the Station House Officer, Padmanabham Police Station has been frequently calling the petitioner to Police Station on the allegation that Nanaji and Giri filed a complaint alleging that the petitioner was indebted an amount of Rs.25,00,000/- to one late Madhu and due to non-payment of the said amount, in frustration, the said Madhu committed suicide on 03/12/2014. The police have informed that the petitioner is responsible for the suicide committed

by Madhu and that the petitioner is liable for an offence under section 306 of IPC.

3. He submits that on 01/9/2016 at about 11:30 a.m., the above mentioned persons and Ashok Reddy came to petitioner's house when he was away, they dragged his wife and two years daughter out of the house, abused in filthy language, tried to outrage the modesty of his wife and threatened to kill his family members. The aforesaid attack was for the alleged indebted amount of Rs.25,00,000/-. Thereafter, the petitioner lodged a complaint before the police and the same was duly registered as Crime No. 70 of 2016 for the offences punishable under section 448, 354, 506 read with section 34 of IPC against the above mentioned persons.

4. He further submits that aggrieved by the action of the Police calling the petitioner and his family members to Police Station every day, he filed WP.No. 38640 of 2016 and this court disposed of the said writ petition, vide orders dated 10/11/2016. He submits that the petitioner is a Siddhanti and has been performing kalyan of

Subramanya swamy every year and this year the said auspicious ceremony commences from 04/12/2016 to 07/12/2016 at Rajahmundry, East Godavari district and the petitioner is the main organizer of that ceremony. Therefore, the petitioner is apprehending that the above mentioned persons may disturb the ceremony by prevailing over the police and the police may arrest and register crime against him for abatement to commit suicide by Madhu.

5. Learned Additional Public Prosecutor on instructions submits that no crime is registered against the petitioner and the present petition is filed in apprehension.

6. Heard the learned counsel appearing on behalf of the petitioner and the learned Additional Public Prosecutor representing the State.

7. Prima facie, this petition is filed at the premature stage and the same is not maintainable.

8. The Criminal Petition is accordingly dismissed.

9. As a sequel, miscellaneous petitions if any pending in this Criminal Petition shall stand disposed of.

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**JUSTICE SURESH KUMAR KATT.**



25/11/2016  
I s L

**HONOURABLE SRI JUSTICE SURESH KUMAR KAIT**



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Circulation No.  
Court Master: I s L