

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.4323 of 2017

ORDER:

This criminal petition is filed, by the petitioner-accused No.1, under Section 438 Cr.P.C., seeking anticipatory bail in Crime No.82 of 2017 on the file of the Station House Officer, Dharmasagar Police Station, Warangal District, registered for the offences punishable under Sections 302 and 201 IPC.

2. The learned counsel for the petitioner strenuously submitted that the petitioner has nothing to do with the murder of her husband. He further submitted that the allegations made in the complaint do not constitute any offence much less the offences alleged to have been committed by the petitioner, therefore, it is a fit case to allow the petition. *Per contra*, learned Additional Public Prosecutor representing the State submitted that the petitioner herein hatched up a plan with A2 and killed the deceased Ramana Reddy by engaging the services of Accused Nos.2 to 4. He further submitted that the allegations made in the complaint *prima facie* constitute the offences alleged to have been committed by the petitioner, therefore, it is not a fit case to allow the petition, more particularly, in view of pendency of investigation.

3. The facts leading to filing of the present petition are briefly as follows: On 16.04.2017 the railway officials found

one unknown dead body on the railway track near Rampur Village, Khazipet Mandal, Warangal Urban district. The railway police registered a case in Crime No.58 of 2017 under Section 174 Cr.P.C. After completion of necessary formalities, the railway police came to a conclusion that somebody killed the deceased and kept the dead body on railway track and transferred the case to law and order police station. On receipt of the information, the Station House Officer, Dharmasagar, registered a case in Crime No.82 of 2017 under Sections 302 and 201 IPC. On 24.04.2017, the petitioner lodged a complaint to the Station House Officer, Subedari Police Station, who in turn registered a case in Crime No.153 of 2017 as man missing. As per the allegations made in the remand report, accused Nos.1 and 2 hatched up a plan to liquidate Ramana Reddy. In pursuance of their conspiracy, the petitioner and Accused No.2 paid an amount of Rs.4.00 lakhs and engaged accused Nos.3 and 4 to kill the deceased. On 15.04.2017, accused No.2 along with A3 and A4 came to the house of the deceased and taken him to outside, thereafter, he did not turn up.

3. The petitioner is none other than the wife of the deceased. Accused No.2 and the deceased are childhood friends. As per the allegations made in the charge sheet, Accused No.2 developed intimacy with Accused No.1. Accused No.2 gave an amount of Rs.20,00,000/- to the deceased towards loan. The deceased returned an amount of

Rs.10,00,000/- to A2. It is further alleged that A2 demanded the deceased to repay the loan amount. As per the allegations made in the complaint, the petitioner herein along with A2 hatched up a plan and killed the deceased. Whether the petitioner herein joined hands with A2 to liquidate the deceased Ramana Reddy requires detailed investigation. The learned Additional Public Prosecutor submitted that the investigation is in progress. The material placed before the Court reveals the role played by the petitioner. The material placed before the Court *prima facie* indicates the involvement of the petitioner in commission of the offence punishable under Sections 302 and 201 IPC.

4. Taking into consideration the relationship between accused No.1 and the deceased as well as the nature of the offence alleged to have been committed by the petitioner, this Court is of the view that it is not a fit case to grant bail to the petitioner.

5. In the result, the Criminal Petition is dismissed.

T.SUNIL CHOWDARY, J

1st August, 2017
Rns