

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

WEDNESDAY, THE TWENTY NINTH DAY OF NOVEMBER,  
TWO THOUSAND AND SEVENTEEN

PRESENT  
THE HON'BLE DR JUSTICE SHAMEEM AKTHER

CRL.P.No. 11123 of 2017

Between:

- 1 Banoth Panthulu Naik, S/o. Harischandra,
- 2 Banoth Hanuma, S/o. Kotya,
- 3 Banoth Redya, S/o. Kotya,
- 4 Banoth Veeranna, S/o. Kotya,
- 5 Banoth Hussain, S/o. Beekya

Petitioners/A-1 to A5

AND

The State of Telangana, through Station House Officer, Tirumalyapalem Police Station,  
Khammam District, rep. by its Public Prosecutor, High Court at Hyderabad.

Respondent/Complainant

COUNSEL FOR THE PETITIONER: SRI. V. BRAHMAIAH CHOWDARY  
COUNSEL FOR THE RESPONDENT : THE PUBLIC PROSECUTOR (TG)

Petition under Section 438 of Cr.P.C., praying that in the circumstances stated in the memorandum of grounds filed herein, the High Court may be pleased to direct the respondent to enlarge the petitioners on bail in the event of their arrest in connection with Cr.No.197 of 2015 on the file of Station House Officer, Tirumalayapalem Police Station, Khammam District.

The Court made the following Order:

**Heard learned counsel for the petitioners/A.1 to A.5, learned Additional Public Prosecutor for the respondent State and perused the record.**

**This petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners/A.1 to A.5 in Crime No.197 of 2015 of Tirumalayapalem Police Station, Khammam District, for the offence punishable under Section 306 IPC.**

**During the course of submissions made by both the counsel, it is brought to the notice of this Court that initially the offence was registered under Section 309 IPC and thereafter, it was altered to Section 306 IPC. There are no specific overt acts attributed against the petitioners. Name of petitioner No.1 is mentioned in the report stating that he, along with some others, was present at the police station. There is also record to show that the wife of the deceased, viz., Gothula Swaroopa had committed suicide. There was a revolt in the village. The deceased husband for his protection went to the police station, where he has committed suicide by hanging himself to the roof. There is apprehension of arrest of the petitioners in the above crime.**

Having regard to the nature of allegations and apprehension of the petitioners for their arrest, the petitioners can be enlarged on bail.

In the result, the Criminal Petition is allowed directing the petitioners/A.1 to A.5 to surrender themselves before the Station House Officer, Tirumalayapalem Police Station, Khammam District, within 15 days from the date of this order. On such surrender, the said Station House Officer shall enlarge the petitioners/A.1 to A.5 on bail on each of them executing a personal bond of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to his satisfaction. On such release, the petitioners/A.1 to A.5 shall abide by the conditions mentioned in Section 438(2) Cr.P.C. Further, they shall attend before the said Station House Officer on every Sunday between 8.00 and 9.00 a.m. till filing charge sheet.

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

1. The Principal Sessions Judge, Khammam.
2. The Special Mobile Judicial First Class Magistrate, at Khammam.
3. The Station House Officer, Tirumalayapalem Police Station, Khammam District.
4. Two CCs to Public Prosecutor (TG), High Court, Hyderabad (OUT)
5. One CC to Sri. V. Brahmaiah Chowdary, Advocate (OPUC)
6. One Spare copy

KK



HIGH COURT

Dr.SAJ

DT. 29-11-2017

BAIL ORDER

CRL.P.NO. 11123 OF 2017

DIRECTION



Drafted by: KK  
Drafted on: 4-12-2017

HIGH COURT

Dr.SAJ

DT. 29-11-2017



BAIL ORDER

CRL.P.NO. 11123 OF 2017

DIRECTION