

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**
TUESDAY, THE TWENTY FIRST DAY OF NOVEMBER, TWO THOUSAND AND
SEVENTEEN
: PRESENT :
THE HONOURABLE DR JUSTICE SHAMEEM AKTHER
CRLP .No. 11063 of 2017

Between:-

- 1.Bandi Charan, S/o. Bandi Ram Murthy
- 2.Bandi Ram Murthy, S/o. Pitchaiah
- 3.Bandi Ayodhya, W/o. Bandi Ram Murthy
- 4.Bandi Rajesh, S/o. Bandi Ram Murthy.

..... Petitioners/Accused Nos.1 to 4.

AND

The State of Telangana, Rep. by its Public Prosecutor,
High Court at Hyderabad, For the State of Telangana and A.P.,
P.S. K.P.H.B. Colony, Hyderabad.

...Respondent/Complainant.

Petition filed under Section 438 of Cr.P.C. praying that in the circumstances stated in the petition and grounds thereof, the High Court may be pleased to grant Anticipatory Bail to the Petitioners/Accused Nos. A1 to A4 in Crime No. 577 of 2017, on the file of P.S. KPHB Colony, Cyberabad, Hyderabad District in the event of their arrest.

The petition coming on for hearing, upon perusing the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri Arun Kumar Doddla Advocate for the Petitioners and the Addl. Public Prosecutor(TS) for the Respondent-State, the Court made the following

ORDER :-

“This petition is filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioners-A1 to A4 for the offence alleged under Section 304-B IPC.

2. Heard learned counsel for the petitioners-A1 to A4, learned Additional Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioners-A1 to A4 would submit that the petitioners-A1 to A4 are falsely implicated in this case. The de facto complainant gave distinct statements to the police and the learned Magistrate. The petitioners-A2 and A3 are residing at Jagityal. The petitioner-A4 is residing near the house of petitioner-A1 at Nizampet, Hyderabad. They have nothing to do with the alleged offence. The de facto complainant entered into a compromise with the petitioners-A1 to A4 and ultimately, prayed to allow the application.

4. On the other hand, learned Additional Public Prosecutor opposed the grant of bail to the petitioners-A1 to A4.

5. The material on record reveals that the marriage of the petitioner-A1 and Renuka (hereinafter referred to as ‘the deceased’) took place in the year 2014. In the marriage, ½ acre of land, cash of Rs.2,00,000/- , gold ring and other property were given. Thereafter, the petitioner-A1 harassed the deceased both physically and mentally to get additional dowry. The deceased studied B.Sc., Nursing. Thereafter, the petitioner-A1 and the deceased came to Hyderabad and started residing at Nizampet. The petitioner-A4 is also living in the same place. The petitioners-A2 and A3 are living at Jagityal. On 03.05.2017, the deceased committed suicide by hanging in her room. On information given by the petitioners-A1 and A4 to defacto complainant, this case is registered and it is under investigation.

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6. The petitioners-A2 and A3 are living at Jagityal. The petitioner-A4 is the brother of A1, against whom there are no specific and grave allegations. Now, he is residing in the same colony. Against the petitioner-A2 and A3 also, there are no specific and grave allegations. In the 164 Cr.P.C. statement recorded by the learned Magistrate, the de facto complainant had narrated several instances, where the deceased was subjected to mental and physical cruelty. The allegations against the petitioner-A1 are grave. The release of the petitioner-A1 would hinder the investigation and cause disappearance of evidence. Therefore, the petitioner-A1 is not entitled for bail under Section 438 Cr.P.C. Insofar as the petitioners-A2 to A4 are concerned, they can be enlarged on bail under Section 438 Cr.P.C.

7. In the result, the Criminal Petition is partly allowed directing the petitioners-A2 to A4 to surrender before the Station House Officer, KPHB Colony Police Station, Cyberabad, Hyderabad District, within 15 days from the date of this order. On such surrender, the said S.H.O. shall release the petitioners-A2 to A4 on bail, on each of them executing a personal bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each in a like sum to his satisfaction. On release, the petitioners-A2 to A4 shall abide by the conditions mentioned under Section 438 (2) Cr.P.C. The petitioners-A2 to A4 shall attend before the S.H.O., KPHB Colony Police Station, Cyberabad, on every Sunday between 9.00 A.M. and 10.00 A.M. till filing of charge sheet."

Sd/- P.V.K. SATYANARAYANA,
ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1.The II AJCJ-cum-XIX Metropolitan Magistrate, Kukatpally at Miyapur, Cyberabad.
- 2.The IX Metropolitan Magistrate, Cyberabad, Kukatpally at Miyapur, Hyderabad.
- 3.The Station House Officer, KPHB Colony Police Station, Cyberabad.
- 4.Two CCs to Public Prosecutor(TS), High Court of Judicature at Hyderabad.
(OUT)
- 5.One CC to Sri Arun Kumar Doddla Advocate(OPUC)
- 6.One spare copy.

TKK

HIGH COURT

DR.SA.J

DT.21-11-2017.

**ANTICIPATORY
BAIL ORDER**



CRL.P.No. 11063 of 2017

**RELEASE THE PETITIONERS/A2 TO 4
ON BAIL IN THE EVENT
OF THEIR ARREST.**

**DRAFTED BY TKK
DT.22-11-2017.**

HIGH COURT

DR.SA.J

DT.21-11-2017.



**ANTICIPATORY
BAIL ORDER**

CRL.P.No. 11063 of 2017

**RELEASE THE PETITIONERS/A.2 TO 4
ON BAIL IN THE EVENT
OF THEIR ARREST.**