

**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. 11261 of 2017

Between:

- 1 Batchu Radhika, W/o. Venkata Durga Prasad,
- 2 Kesireddy Hari Chandra Rao S/o. Narasimha Murthy

Petitioners/Accused Nos.2 & A4

AND

The State of Andhra Pradesh, rep. by Public Prosecutor, High Court at Hyderabad, For the State of Telangana and the State of Andhra Pradesh.

Respondent/Complainant

COUNSEL FOR THE PETITIONERS: SRI. T.S.N. MURTHY

COUNSEL FOR THE RESPONDENT : THE PUBLIC PROSECUTOR (AP)

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 Station House Officer of P.S. Krishna Lanka, Vijayawada to release the Petitioners/A2 and A4 on bail in the event of their arrest in connection with the Crime No.495/2017 of P.S., Krishna Lanka, Vijayawada.

The Court made the following Order:

This Criminal Petition, under Section 438 of Cr.P.C., is filed by the petitioners/A.2 and A.4, seeking anticipatory bail in the event of their arrest in connection with F.I.R. No.495 of 2017, on the file of Krishnalanka Police Station, Vijayawada, registered for the offence under Section 306 I.P.C.

Heard the learned counsel for the petitioners/A.2 and A.4, learned Additional Public Prosecutor appearing for the respondent-State, and perused the record.

Learned counsel for the petitioners would submit that the petitioners are innocent persons and they were falsely implicated in this case; they are not responsible for the death of Batchu Satyanarayana and Batchu Kanaka Durga, who are the father-in-law and mother-in-law of A.2, and ultimately prayed to allow the Petition.

Learned Additional Public Prosecutor appearing for the respondent-State opposed grant of bail to the petitioners/A.2 and A.4 stating that the whole prosecution case is based on the suicide note written by Batchu Satyanarayana.

As per the submissions made by both sides, A.2 is the younger daughter-in-law of the deceased; A.1, who is the husband of A.2 and younger son of deceased, was remanded to judicial custody and not yet granted regular bail. It is alleged that A.1 and A.2 are living together and harassed the deceased in their old age, without providing treatment to Batchu Satyanarayana, who was suffering from cancer, and Batchu Kanaka Durga, who was suffering from her age old ailments. A.3 is the father-in-law of A.1 and A.4 is the co-brother of A.3. As per the record, A.4 is not living either with the deceased or with A.1 and A.2. Having regard to the nature of allegations made against A.4, his bail application under Section 438 Cr.P.C. can be considered and as they are serious allegations against A.2, she is not entitled for bail under Section 438 Cr.P.C.

Under these circumstances, the petitioner/A.4 is directed to surrender before the Station House Officer, Krishnalanka Police Station, Vijayawada, within 15 days from the date of this order and on such surrender, he shall be released on bail, on his executing 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 said Station House Officer. On release, the petitioner/A-4 shall attend before the said Station House Officer on every Sunday between 10:00 a.m. and 11:00 a.m. till filing of charge sheet. Further, the petitioner/A.4 is directed to abide by the conditions mentioned under Section 438(2) Cr.P.C. and shall co-operate with the Investigation Officers.

Accordingly, with the above directions, the Criminal Petition is allowed in part.

In consequence, miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

//TRUE COPY//

ASSISTANT REGISTRAR

for ASSISTANT REGISTRAR

To

1. The XII Additional District & Sessions Judge-cum- VI Additional Metropolitan Sessions Judge, Vijayawada, Krishna District
2. The II Additional Chief Metropolitan Magistrate, Vijayawada, Krishna District.
3. The Station House Officer, Krishna Lanka Police Station, Vijayawada, Krishna District.
4. Two CCs to Public Prosecutor (AP), High Court, Hyderabad (OUT)
5. One CC to Sri. T.S.N. Murthy, Advocate (OPUC)
6. One Spare copy

KK

HIGH COURT

Dr.SAJ

DT. 29-11-2017

BAIL ORDER

CRL.P.NO. 11261 OF 2017

DIRECTION



Drafted by: KK
Drafted on: 1-12-2017

HIGH COURT



Dr.SAJ

DT. 29-11-2017

BAIL ORDER

CRL.P.NO. 11261 OF 2017

DIRECTION