

**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 HON'BLE DR JUSTICE **SHAMEEM AKTHER**

CRIMINAL PETITION No. 11068 of 2017

Between:

1. Chowdam Muni Rajiv, S/o. Deva Muneiah
2. Chowdam Deva Muneiah, S/o. Lakshumanna

Petitioners

(Accused 1 & 2 in Cr.No.66/2017
of Mylavaram P.S., Kadapa District)

AND

The State of Andhra Pradesh, rep .by Public Prosecutor, SHO, Mylavaram P.S., Kadapa District, High Court of Hyderabad for the State of Telangana and Andhra Pradesh, Hyderabad.

Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C. praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to enlarge the petitioners/Accused No.1 and 2 on bail in Crime No. 66/2017 of Mylavaram P.S., Kadapa District for the alleged offences under Sec. 306, 498A read with 34 IPC.

The Petition coming on for hearing, upon perusing the petition and the grounds filed herein and upon hearing the arguments of Sri V.Nitesh, Advocate for the Petitioners and of the Addl. Public Prosecutor (AP) for the Respondent, the Court made the following

ORDER:

“ This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused Nos.1 and 2, for grant of bail in connection with Crime No.66 of 2017 on the file of the Mylavaram Police Station, YSR Kadapa District, registered for the offences punishable under Sections 498-A, 306 read with Section 34 of I.P.C.

2. Heard the learned counsel for the petitioners/accused Nos.1 and 2, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The learned counsel for the petitioners/accused Nos.1 and 2 would submit that the petitioners/accused Nos.1 and 2 are innocent persons and they are falsely implicated in this case. The petitioner/accused No.1 was not in the village when the alleged incident took place. The petitioner/accused No.2 was outside the house at the time of alleged incident. The petitioners/accused Nos.1 and 2 were remanded to judicial custody on 07.09.2017 and ultimately prayed to allow the application.

4. On the other hand, the learned Additional Public Prosecutor opposed for grant of bail to the petitioners/accused Nos.1 and 2 contending that there are grave and specific allegations against them.

5. The material on record reveals that the petitioner/accused No.1 used to mentally and physically torture the deceased, who is his wife. Their marriage took place more than seven years prior to the death of the deceased in this case. They are blessed with two children, one daughter and one son. In spite of negotiations of the elders, the petitioner/accused No.1 continued his attitude. There are also allegations against the petitioner/accused No.2 that he used to abate the petitioner/accused No.1 to cause mentally and physically harass the deceased.

..2..

6. As per the material on record, the petitioner/accused No.2 is 62 years old, father-in-law of the deceased. Having regard to the nature of accusations levelled against him, this Court is inclined to grant bail to him. As far as the bail application of the petitioner/accused No.1 is concerned, the allegations are grave. There is apprehension of winning over the witnesses and meddling with the investigation. Therefore, it is not a fit case to grant bail to the petitioner/accused No.1.

7. Accordingly, the Criminal Petition, insofar as it relates to the petitioner/accused No.1, is dismissed. The petitioner/ accused No.2 is ordered to be released on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties in a like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Proddatur, Kadapa District. After being released on bail, the petitioner/accused No.2 shall report before the Station House Officer, Mylavaram Police Station, YSR Kadapa District, on every Sunday between 09:00 AM and 10:00 AM, till filing of the charge-sheet.

8. The Criminal Petition is, accordingly, allowed in part.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Judicial First Class Magistrate, Jammalamadugu, Kadapa District.
2. The Superintendent, Sub Jail, Jammalamadugu, Kadapa District.
3. The SHO, Mylavaram Police Station, Kadapa District.
4. Two CCs to the Public Prosecutor (AP), High Court, Hyd(OUT)
5. One CC to Sri V.Nitesh, Advocate(OPUC)
6. One spare copy.

SAH

HIGH COURT

Dr.SAJ

DATED: 21-11-2017

ORDER

CRL.P.NO. 11068 OF 2017

BAIL GRANTED



DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 22-11-2017

HIGH COURT

Dr.SAJ



DATED: 21-11-2017

ORDER

CRL.P.NO. 11068 OF 2017

BAIL GRANTED