

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
MONDAY, THE TWENTY SEVENTH DAY OF NOVEMBER, TWO THOUSAND AND
SEVENTEEN
: PRESENT :
THE HONOURABLE DR JUSTICE SHAMEEM AKTHER**

CRLP .No. 11037 of 2017

Between:-

Ch. Venkateswara Rao, S/o. Seshagiri Rao.

..... Petitioners/Accused No.1

AND

The State of Telangana, Represented by Public Prosecutor,
High Court, 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 enlarge the petitioner herein/Accused No.1 on bail in the event of his arrest in connection with FIR No. 936 of 2016 of P.S. Banjara Hills, Hyderabad.

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

ORDER :-

“This Criminal Petition, under Section 438 of Cr.P.C., is filed by the petitioner/A.1, seeking anticipatory bail in the event of his arrest in connection with F.I.R. No.936 of 2016, on the file of Banjara Hills Police Station, Hyderabad City, registered for the offence under Section 306 I.P.C.

Heard the learned counsel for the petitioner/A.1, learned Additional Public Prosecutor appearing for the respondent-State, and perused the record.

The allegation against the petitioner/A.1 is that his wife committed suicide on 25.10.2016. On a report lodged by the petitioner/A.1, initially a crime was registered for the offence under Section 174 Cr.P.C.; thereafter, parents of the wife of the petitioner/A.1 made a statement alleging that the petitioner/A.1 was given 30 tulas of gold, Rs.5,00,000/- cash, Ac.1.00 cents of agricultural land and other household articles at the time of marriage with their daughter; both of them lived happily for three years; thereafter, the petitioner/A.1 subjected his wife to physical and mental cruelty and driven her to commit suicide. It is also alleged therein that the petitioner/A.1 demanded an amount of Rs.2,00,000/- 2 months prior to the incident and the crime in the instant case was registered on 25.10.2016.

Learned counsel for the petitioner/A.1 would submit that the petitioner is suffering from Intra Cardiac Repair of ASD (S7.2.26.1.). The medical record placed before this Court reveals the same and also reveals that the petitioner/A.1 was hospitalized on 25.03.2017, got discharged on 01.04.2017 and underwent surgery on 28.03.2017. It is also urged before this Court that the wife of petitioner/A.1 did not beget children through him and both of them have taken treatment for the same; the contentions are supported by the copies of documents placed before this Court.

Contd.2..

Having regard to the health conditions of the petitioner/A.1 and the submissions made by both sides, the truth or otherwise of allegations would be decided after due trial, the petitioner can be enlarged on bail on some conditions. Accordingly, the petitioner/A.1 is directed to surrender himself before the Station House Officer, Banjara Hills Police Station, Hyderabad city, within 15 days from the date of this order and on such surrender, the said Station House Officer shall release the petitioner/A.1 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-1 is directed to attend before the Station House Officer, Banjara Hills Police Station, on every Sunday between 10:00 and 11:00 a.m. till filing of charge sheet. Further, the petitioner/A-1 is also 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 consequence, miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.. ”

//TRUE COPY//

ASSISTANT REGISTRAR

for ASSISTANT REGISTRAR

To

- 1.The III Additional Chief Metropolitan Magistrate at Hyderabad.
- 2.The Special Executive Magistrate at Hyderabad.
- 3.The Station House Officer, Banjara Hills Police Station, Hyderabad.
- 4.Two CCs to Public Prosecutor(TS), High Court of Judicature at Hyderabad.
- (OUT)
- 5.One CC to Sri Penumaka Venkata Rao Advocate(OPUC)
- 6.One spare copy.

TKK

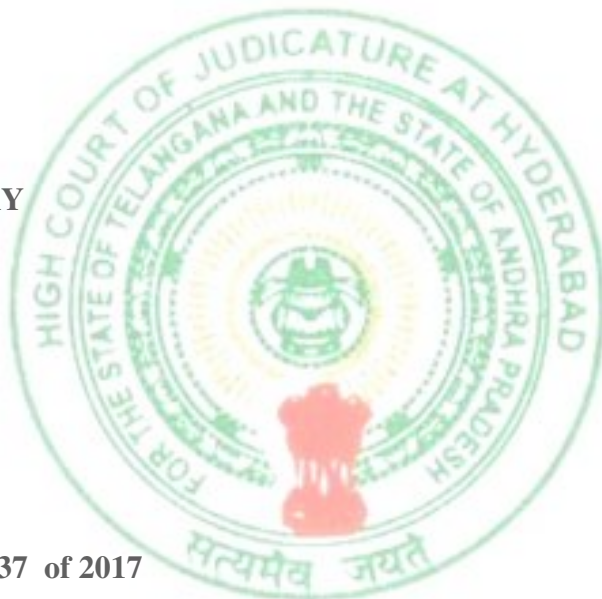


HIGH COURT

DR.SA.J

DT.27-11-2017.

**ANTICIPATORY
BAIL ORDER**



CRL.P.No. 11037 of 2017

**RELEASE THE PETITIONER
ON BAIL IN THE EVENT OF
HIS ARREST.**

**DRAFTED BY TKK
DT.28-11-2017.**

HIGH COURT

DR.SA.J

DT.27-11-2017.



**ANTICIPATORY
BAIL ORDER**

CRL.P.No. 11037 of 2017

**RELEASE THE PETITIOENR
ON BAIL IN THE EVENT
OF HIS ARRST.**