

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
THURSDAY, THE TWENTY EIGHTH DAY OF DECEMBER, TWO THOUSAND
AND SEVENTEEN
: PRESENT :
THE HONOURABLE SMT JUSTICE T. RAJANI**

CRLP .No. 12747 of 2017

Between:-

Bura Venkateshwar Rao, S/o. Rao

..... Petitioner/Accused No.2.

AND

The State of Telangana, through the Station House Officer, Huzurnagar P.S.,
Suryapet District, Rep. by Public Prosecutor, High Court at Hyderabad,
For the State of Telangana and the State of Andhra Pradesh.

.....Respondent/Complainant.

Petition filed under Sections 438 of Cr.P.C. praying that in the circumstances stated in the Grounds of Criminal Petition, the High Court may be pleased to direct the respondent to enlarge the Petitioner/A2 on bail in the event of his arrest in connection with Crime No. 382 of 2017 on the file of Station House Officer, Huzurnagar Police Station, Suryapet District.

The petition coming on for hearing, upon perusing the memorandum of grounds filed in support thereof and upon hearing the arguments of V. Brahmaiah Chowdary, Advocate for the Petitioner and of Public Prosecutor(TS) on behalf of Respondent-State, the Court made the following **ORDER :-**

“This petition is filed under Section 438 Cr.P.C. seeking for grant of anticipatory bail to the petitioner, who is A2 in Crime No. 382 of 2017 on the file of the Huzurnagar Police Station.

2. The offences alleged against the petitioner are under Sections 307 and 498-A r/w 34 IPC and 3 and 4 Dowry Prohibition Act.

3. Heard learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioner submits that the allegations in the complaint are absolutely false and that the de facto complainant consumed poison and A1 has taken the de facto complainant and admitted in the hospital. He also find consent from, containing the signature of A1.

5. *Prima facie*, the case of the petitioner receives support from the said facts. Apart from that the learned counsel for the petitioner submits that the petitioner is 61 years old and he is suffering from Cardiac problem and is taking treatment. He filed discharge card furnished by Sheel Cardiac Centre. Considering the above the petitioner can be granted bail under Section 438 Cr.P.C.

6. Accordingly, the Criminal Petition is allowed. The petitioner is directed to surrender before the Station House Officer, Huzurnagar Police Station, Suryapet District, within 15 days from the date of this order. On such surrender, the petitioner 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 in a like sum each to the satisfaction of the said Station House Officer. Further, on such release, the petitioner shall abide by the conditions mentioned under Section 438(2) Cr.P.C., as under :

- i) The petitioner shall make himself available for interrogation by a police officer as and when required.
- ii) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police Officer;
- iii) The petitioner shall not leave India without the previous permission of the Court.

As a sequel, miscellaneous petitions, if any pending, in this petition shall stand closed.”

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1.The Judicial First Class Magistrate at Huzurnagar, Suryapet District.
- 2.The Station House Officer, Huzurnagar Police Station, Suryapet District.
- 3.Two CCs to the Public Prosecutor(TS), High Court at Hyd.(OUT)
- 4.One CC to Sri V. Brahmaiah Chowdary, Advocate(OPUC)
- 5.One spare copy.

TKK



HIGH COURT

TR.J

DT.28-12-2017.

**ANTICIPATORY
BAIL ORDER**



CRL.P.No. 12747 of 2017

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

**DRAFTED BY TKK
DT.29-12-2017.**

HIGH COURT

TR.J

DT.28-12-2017.



**ANTICIPATORY
BAIL ORDER**

CRL.P.No. 12747 of 2017

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