

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
TUESDAY, THE TWENTY SIXTH DAY OF DECEMBER, TWO THOUSAND AND
SEVENTEEN
: PRESENT :
THE HONOURABLE SMT JUSTICE T. RAJANI
CRLP .No. 12613 of 2017**

Between:-

- 1.M. Venkateswara Rao, (A1), S/o. Laxmi Narayana
- 2.M. Venkata Nageswara Rao (A6), S/o. Basevaiah
- 3.M. Chennamma (A7), W/o. Venkata Nageswararao.

..... Petitioners/Accused.

AND

The State of Telangana, Vemsoor Police Station, Rep. by its Public Prosecutor,
High Court of Judicature, For the State of Telangana and for the State of
A.P., Hyderabad.

.....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 enlarge the Petitioners on bail in the event of their arrest in Crime No. 102 of 2016, dated 29.11.2016 of Vemsoor Police Station, Khammam District.

The petition coming on for hearing, upon perusing the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri S. Appadhara Reddy, Advocate for the Petitioners and of Addl. Public Prosecutor(TS) on behalf of Respondent-State, the Court made the following **ORDER :-**

“This petition is filed seeking for grant of anticipatory bail to the petitioners, who are accused Nos.1, 6 and 7 in Crime No.102 of 2016 on the file of Vemsoor Police Station, Khammam District. The offences alleged are under Sections 306 r/w 34 IPC.

2. Heard the counsel for the petitioners and the Public Prosecutor appearing for the respondent.

3. As per the allegations in the complaint filed by the complainant, on 29.11.2016 at about 04:00 AM, the deceased consumed poison and A7 is responsible for the death of her husband as she borrowed an amount of Rs.8,000/- from her husband 15 days back and on 19.11.2016 when her husband went to the house of A7 for collecting the said amount, A6 lodged a complaint against the deceased, for which the deceased consumed poison. There is a suicide note stating that these accused, along with other accused, are responsible for the death of the deceased.

4. From a perusal of the aforesaid allegations, it is clear that, *prima facie*, the offence under Section 306 IPC does not get attracted to the facts of the case.

5. Accordingly, the Criminal Petition is allowed. The petitioners/A1, A6 and A7 are directed to surrender before the Station House Officer, Vemsoor Police Station, Khammam District within 15 days from the date of this order. On such surrender, the petitioners/A1, A6 and A7 shall be released on bail on their executing personal bonds for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each in a like sum each to the satisfaction of the said Station House Officer. Further, on such release, the petitioners/A1, A6 and A7 shall abide by the conditions mentioned under Section 438(2) Cr.P.C., as under:

- i) The petitioners/A1, A6 and A7 shall make themselves available for interrogation by a police officer as and when required.

Contd.2...

- ii) The petitioners/A1, A6 and A7 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 petitioners/A1, A6 and A7 shall not leave India without the previous permission of the Court.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.”

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1.The Principal Sessions Judge, Khammam.
- 2.The Judicial First Class Magistrate, Sathupally, Khammam District.
- 3.The Station House Officer, Vemsoor Police Station, Khammam District..
- 4.Two CCs to the Public Prosecutor(TS), High Court at Hyd.(OUT)
- 5.One CC to Sri S. Appadhara Reddy, Advocate(OPUC)
- 6.One spare copy.

TKK



HIGH COURT

TR.J

DT.26-12-2017.

**ANTICIPATORY
BAIL ORDER**



CRL.P.No. 12613 of 2017

**RELEASE THE PETITIONERS
ON BAIL IN THE EVENT OF
THEIR ARREST**

**DRAFTED BY TKK
DT.27-12-2017.**

HIGH COURT

DR.SA.J

DT.26-12-2017.



**ANTICIPATORY
BAIL ORDER**

CRL.P.No. 12613 of 2017

**RELEASE THE PETITIONERS
ON BAIL IN THE EVENT OF
THEIR ARREST.**