

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
FRIDAY, THE FIFTEENTH DAY OF DECEMBER
TWO THOUSAND AND SEVENTEEN**

:PRESENT:

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRL. P. NO:12142 of 2017

Between:

- 1 Meghavath Balram S/o. Late M.Manya, Aged 47 years, Occ: Auto Driver, R/o. H.No. 8-17-60/B12, Nandavanam Colony, Kharmanghat, Saroornagar Mandal, RR.District.
- 2 Smt. Meghavath Kamala @ Kamli W/o. Meghavath Balram, Age 42 Years, Housewife, R/o. H.No. 8-17-60/B12, Nandavanam Colony, Kharmanghat, Saroornagar Mandal, RR.District.

..... Petitioners/Accused No. 6 & 7

AND

The State of Telangana, through PS., L B. Nagar, Rachakonda Commissionerate, rep. by the Public Prosecutor, High Court at Hyderabad.

.....Respondent/Complainant

Petition under Section 438 of Cr.P.C., praying that in the circumstances stated in the petition and the grounds filed herein, the High Court may be pleased to release the petitioners on bail in the event of their arrest in Crime No. 1230 of 2017 of PS., LB. Nagar, Rachakonda Commissionerate, Ranga Reddy District on such terms and conditions as the Hon'ble Court may deem fit and proper in the interest of justice.

Counsel for the Petitioners : SRI P.ANIMI REDDY

Counsel for the Respondent : ADDL. PUBLIC PROSECUTOR (TS)

The Court made the following ORDER:

“This petition is filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioners-A6 and A7 for the offence alleged under Section 304-B IPC.

2. Heard learned counsel for the petitioners-A6 and A7, learned Additional Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioners-A6 and A7 would submit that the petitioners are innocent persons and they have nothing to do with the family affairs of A1. Earlier F.I.R. was issued for the offences under Sections 302 and 304-B r/w 34 IPC. Later, some of the accused were remanded for the offence under Section 304-B IPC only and were granted bail by the trial Court and ultimately, prayed to allow the application.

4. On the other hand, learned Additional Public Prosecutor opposed the grant of bail petitioners-A6 and A7 contending that the petitioners and other accused caused dowry death and ultimately, prayed to dismiss the application.

5. The material placed on record reveals that one Prashanthi (hereinafter referred to as 'the deceased') was given in marriage to A1 about five months prior to lodging of report in this case on 16.11.2017. At the time of marriage, Rs.10,00,000/-, 10 tulas of gold and other property was given to the accused No.1 as dowry by the de facto complainant by selling Ac.1.00 of land. Thereafter, the petitioners and other accused harassed and ultimately caused the death of the deceased on 16.11.2017. The de facto complainant is the brother of the deceased. The record also reveals that the petitioner-A6 is A1's father's brother and the petitioner-A7 is the wife of petitioner-A6. It has also come to light that the petitioners have got separate residence. Altogether accusation is made against seven persons in this case. A2 and A3 were granted bail, vide order, dated 13.12.2017, in CrI.M.P.No.5091 of 2017 and A5 was granted bail vide order, dated 13.12.2017, in CrI.M.P.No.5117 of 2017 by the Additional Metropolitan Sessions Judge, Cyberabad, L.B. Nagar, Ranga Reddy District.

6. Having regard to the relationship between the petitioners-A6 and A7 and A1 and the nature of allegations leveled against them, the indulgence of the petitioners are required to be established after due trial.

7. Under these circumstances, the petitioners-A6 and A7 can be granted bail under Section 438 Cr.P.C.

8. In the result, the Criminal Petition is allowed directing the petitioners-A6 and A7 to surrender before the Station House Officer, L.B. Nagar Police Station, Rachakonda District, within 15 days from the date of this order. On such surrender, the said S.H.O. shall release the petitioners-A6 and A7 on bail, on each of them executing a personal bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each in a like sum to his satisfaction. On release, the petitioners-A6 and A7 shall abide by the conditions mentioned under Section 438 (2) Cr.P.C. The petitioners-A6 and A7 shall attend before the S.H.O. concerned on every Sunday between 10.00 A.M. and 11.00 A.M. till filing of charge sheet.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Addl. Metropolitan Sessions Judge, Cyberabad, L.B. Nagar, Ranga Reddy District.
2. The II Metropolitan Magistrate, L.B. Nagar, Rachakonda.
3. The Station House officer, L.B. Nagar Police Station, Cyberabad.
4. Two CCs to Public Prosecutor (TS), High Court of Judicature, at Hyderabad (OUT)
5. One CC to Sri P.Animi Reddy, Advocate (OPUC)
6. One Spare Copy

Ab
Drafted on 18-12-2017

HIGH COURT

DR.SA,J

DATE: 15-12-2017



ORDER

CRL.P. NO. 12142 OF 2017

DIRECTION