

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

FRIDAY, THE TWENTY SECOND DAY OF DECEMBER,
TWO THOUSAND AND SEVENTEEN
: PRESENT:

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

CRIMINAL PETITION No. 12485 of 2017

Between:

1. Keshi Reddy Raji Reddy, S/o. Late Krishna Reddy
2. Smt. Keshi Reddy Rajani, W/o. Keshi Reddy Raji Reddy

Petitioners
(Accused 1 & 2 in Cr.No. 53/2017
of P.S.Tharigoppula, Jangaon Dist)

AND

The State of Telangana, rep by Public Prosecutor, High Court of Judicature for the State of Telangana and for the State of Andhra Pradesh at Hyderabad.

Respondent/Defacto Complainant

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to release the petitioner on bail in the event of his arrest in connection with crime No. 53 of 2017 on the file of P.S. Tharigoppula, Jangoan District (Warangal).

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

ORDER:

“ This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused Nos.1 and 2, for grant of anticipatory bail in the event of their arrest in Crime No.53 of 2017 on the file of the Tharigoppula Police Station, Warangal Commissionerate, registered for the offences punishable under Sections 306, 506, 323, 290 read with 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 husband and wife. They are falsely implicated in this case. In fact, the deceased M.Ramesh had borrowed an amount of Rs.40,000/- from the petitioner/accused No.1, when he was working under him as a Harvester driver. Thereafter, the deceased M.Ramesh returned an amount of Rs.20,000/- to the petitioner/accused No.1. On 22.11.2017, it is alleged that the petitioners/accused Nos.1 and 2 have called the deceased M.Ramesh to their house and demanded to return the balance amount of Rs.20,000/-. In that process, it is alleged that they have abused the deceased M.Ramesh in flighty language. Due to the insult meted out, the deceased M.Ramesh committed suicide by consuming poison. On information, the mother of the deceased/de-facto complainant, along with the brother of the deceased, went to MGM Hospital, Warangal, and attended the deceased.

4. There is no eye-witness to the alleged abuse said to have been made in this case. As per the record, the petitioner/accused No.1 is the main accused in this case. The allegations against him are grave and serious in nature. He is responsible for calling the deceased to his house and ultimately for the subject death of the deceased. Under these circumstances, the petitioner/accused No.1 is not entitled for bail under Section 438 of Cr.P.C. As far as the petitioner/accused No.2 is concerned, it is alleged that she has threatened, abused and humiliated the deceased. She is a woman aged 45 years, having children and other family members to take care. Under these circumstances, she can be granted bail under Section 438 of Cr.P.C. on some conditions.

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5. Accordingly, the Criminal Petition, insofar as it relates to the petitioner/accused No.1, is dismissed. The petitioner/accused No.2 is directed to surrender before the Station House Officer, Tharigoppula Police Station, Warangal Commissionerate, within a period of 15 days from the date of this order. On such surrender, the Station House Officer, Tharigoppula Police Station, Warangal Commissionerate, shall release the petitioner/accused No.2 on bail on her executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties in a like sum each to his satisfaction. After release on bail, the petitioner/accused No.2 shall report before the Station House Officer, Tharigoppula Police Station, Warangal Commissionerate, on every Saturday between 09:00 AM and 10:00 AM, till filing of the charge-sheet. The petitioner/accused No.2 shall also abide by the conditions stipulated in Section 438 (2) of the Code of Criminal Procedure, 1973, and shall cooperate with the investigation officer in the investigation of the case.

6. 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 II Additional Sessions Judge, Warangal.
2. The SHO, Tharigoppula, Jangaon District (Warangal)
3. Two CCs to the Public Prosecutor (TG), High Court, Hyd(OUT)
4. One CC to Sri J.Venkateswara Reddy, Advocate(OPUC)
5. One spare copy.

SAH

HIGH COURT

Dr.SAJ

DATED: 22-12-2017

ORDER

CRL.P.NO. 12485 OF 2017



**ANTICIPATORY BAIL
TO PETITIONER NO.2**

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 23-12-2017

HIGH COURT

Dr.SAJ



DATED: 22-12-2017

ORDER

CRL.P.NO. 12485 OF 2017

**ANTICIPATORY BAIL
TO PETITIONER NO.2**