

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

TUESDAY, THE NINETEENTH DAY OF DECEMBER,
TWO THOUSAND AND SEVENTEEN
: PRESENT:

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

CRIMINAL PETITION No. 11953 of 2017

Between:

Murali Venkata Subramanyam Vadapalli, S/o. Vadapalli Bhaskara Ram Murthy
Petitioner/Accused No.1

AND

State by Telangana, Station House officer, P.S. L.B.Nagar L & O, rep. by Public
Prosecutor, High Court at Hyderabad, for the State of Telangana and the State of
Andhra Pradesh.

Respondent

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 enlarge the petitioner/Accused A1 on bail in the event of his arrest in connection with Cr.No. 1058/2017 dated. 26-09-2017 of L.B.Nagar L & O Police Station.

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

ORDER:

“ This Criminal Petition is filed by the petitioner/A.1 under Section 438 of Cr.P.C. for grant of anticipatory bail to him in Crime No.1058 of 2017 of L.B.Nagar L & O Police Station, Rachakonda District, registered for the offences punishable under Sections 498-A and 306 I.P.C.

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

3. The learned counsel for the petitioner/A.1 would submit that the relationship between the petitioner/A.1 and his wife, who is deceased in this case, were cordial. There were no marital disputes between them. On 04.09.2017, the deceased accidentally fell from the running train and succumbed to the injuries. On a report lodged by the brother of the deceased, this case is foisted. The petitioner/A.1 did not make any phone call and harassed the deceased. Moreover, it is not a case of suicidal death and it is only death occasioned in a rail accident, and ultimately prayed to allow the application.

4. The learned Additional Public Prosecutor opposed the grant of bail to the petitioner/A.1.

5. Admittedly, the time of fall from the train of the deceased is 8 a.m. on 04.09.2017. It is said that the petitioner/A.1 made telephone calls in the evening around 3.00 p.m. Whether the accused/A.1 abetted the deceased to commit suicide or the death is an accidental one, is required to be established.

6. Having regard to the nature of the allegations and the material collected so far, the petitioner/A.1 can be enlarged on bail under Section 438 Cr.P.C., on some conditions.

7. Accordingly, the petitioner/A.1 is directed to surrender before the Station House Officer, L.B.Nagar L & O Police Station, Rachakonda District, within a period of 15 days from the date of this order. On such surrender, the Station House Officer, L.B.Nagar L & O Police Station, Rachakonda District, 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 in a like sum each to the satisfaction of the Station House Officer, L.B.Nagar L & O Police Station, Rachakonda District. On release, the petitioner/A.1 shall report before the Station

..2..

House Officer, L.B.Nagar L & O Police Station, Rachakonda District, on every Sunday between 9-00 a.m. and 10-00 a.m. till filing of the charge sheet. The petitioner/A.1 shall also abide by the conditions stipulated in Section 438(2) Cr.P.C. and cooperate with the investigating officer in the investigation of the case.

8. This Criminal Petition is, accordingly, allowed. As a sequel, miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.”

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Executive Magistrate cum Tahsildar of Saroornagar Mandal, Hyderabad.
2. The Judicial Magistrate of First Class for Railways at Guntur.
3. The SHO, L.B.Nagar L & O Police Station, Rachakonda District.
4. Two CCs to the Public Prosecutor (TG), High Court, Hyd(OUT)
5. One CC to Sri Joginipally Sai Krishna, Advocate(OPUC)
6. One spare copy.

SAH



HIGH COURT

Dr.SAJ

DATED: 19-12-2017

ORDER

CRL.P.NO. 11953 OF 2017



ANTICIPATORY BAIL

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 20-12-2017

HIGH COURT

Dr.SAJ



DATED: 19-12-2017

ORDER

CRL.P.NO. 11953 OF 2017

ANTICIPATORY BAIL