

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

MONDAY, THE EIGHTEENTH DAY OF DECEMBER,
TWO THOUSAND AND SEVENTEEN
: PRESENT:

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

CRIMINAL PETITION No. 12063 of 2017

Between:

Bokka Vijayalaxmi @ Jayalaxmi, W/o. Prahlad Reddy

Petitioner

(Accused No.4 in Cr.No.573/2017
of P.S.Mancherial, Adilabad Dist)

AND

The State of Telangana, rep. by Station House Officer, Mancherial Police Station,
Adilabad District, rep. by Public Prosecutor, High Court at Hyderabad.

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 grant anticipatory to the petitioner/accused in the event of her arrest in connection with FIR.No. 573/2017 of P.S. Mancherial, Adilabad District.

The Petition coming on for hearing, upon perusing the petition and the grounds filed herein and upon hearing the arguments of Sri Dr. J.Vijaya Lakshmi, 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 under Section 438 Cr.P.C. to grant anticipatory bail to the petitioner-A.4 in crime No.573 of 2017 of Mancherial police station registered for the offences punishable under Sections 506, 498A, 304-B r/w 34, 302 r/w 109, 354 IPC and 3 and 4 of the Dowry Prohibition Act, 1961.

2. Heard learned counsel for the petitioner-A.4, the learned Additional Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioner-A.4 would submit that the petitioner-A.4 is an innocent person and falsely implicated in this case; that the petitioner-A.4 has two school going children and resides at Hyderabad; that the petitioner-A.4 has not participated in any way in the day to day affairs of A.1 and the deceased No.1; that the petitioner-A.4 did not harass the deceased for any additional dowry, and in no way she is responsible for the subject death of the deceased No.1 and her daughter (deceased No.2), and ultimately, she prays to allow the Criminal Petition.

4. On the other hand, the learned Additional Public Prosecutor opposed the grant of bail to the petitioner-A.4 contending that the deceased No.1, who is wife of A.1, committed suicide, and before committing suicide, she caused death of her daughter by name K.Krishika Reddy, aged 4 years; that the petitioner herein-A.4 is sister-in-law of the deceased No.1 K.Vidyullatha; that there are specific and grave allegations against the petitioner-A.4, and ultimately, prayed to dismiss the petition.

5. The material on record reveals that deceased No.1-Kasireddy Vidyullatha was given in marriage to A.1. Their marriage was celebrated in Mancherial on 08.08.2012. It is alleged that at the time of the marriage, an amount of Rs.15.00 lakhs cash was given to A.1 as dowry besides Rs.1.00 lakh as adapaduchu katnam and other household articles. Thereafter, the deceased No.1 and A.1 lived together and they begot one daughter by name Krishika Reddy (deceased No.2). It is alleged that thereafter the petitioner-A.4 along with other accused in this case harassed the deceased No.1 physically and mentally for want of additional dowry, and that when it is stated to the petitioner-A.4 that her father made an attempt to commit rape on the deceased No.1, she did not take any action.

6. As per the record placed before this Court, A.1 and the deceased No.1 lived in Mancherial along with A.2 and A.3. The petitioner-A.4 is aged about 34 years and she is residing at Injapur, Hyderabad. There is no specific mention about the date or time, etc. with regard to the petitioner-A.4 demanding additional dowry either from the deceased No.1 or from her parents. An allegation is leveled against the petitioner-A.4 stating that she along with the other accused demanded additional dowry and caused physical and mental torture to the deceased No.1. Further, as per the record, a panchayat was held some time before death of deceased. In that panchayat also, there is no specific mention of the petitioner-A.4 harassing the deceased No.1 for additional dowry, etc. As per the record, the petitioner-A.4 married one Prahalad Reddy long back and has been living with him. Therefore, *prima facie* it cannot be said that the petitioner-A.4 is responsible for day to day affairs of the life of the deceased No.1 and A.1 and she is responsible for the suicide committed by the deceased No.1 and causing of death of her daughter before committing suicide.

7. Having regard to the nature of allegations levelled against the petitioner-A.4 and the investigation conducted so far, the petitioner-A.4 can be enlarged on bail under Section 438 Cr.P.C.

8. In the result, the Criminal Petition is allowed directing the petitioner-A.4 to surrender before the Station House Officer, Mancherial Police Station within 15 days from the date of this order. On such surrender, the said S.H.O. shall release the petitioner-A.4 on bail, on the petitioner-A.4 executing a personal bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum to his satisfaction. On release, the petitioner-A.4 shall abide by the conditions mentioned under Section 438 (2) Cr.P.C. She shall co-operate with the Investigating Officer. She shall report before the S.H.O. concerned on every 2nd Saturday and 4th Saturday of the month between 10.00 AM and 11.00 AM till filing of charge sheet in the case.”

// TRUE COPY //

ASSISTANT REGISTRAR

for ASSISTANT REGISTRAR

To

1. The II Additional Judicial First Class Magistrate at Mancherial, Adilabad District.
2. The SHO, Mancherial Police Station, Adilabad District.
3. Two CCs to the Public Prosecutor (TG), High Court, Hyd(OUT)
4. One CC to Sri Dr. J.Vijaya Lakshmi, Advocate(OPUC)
5. One spare copy.

SAH

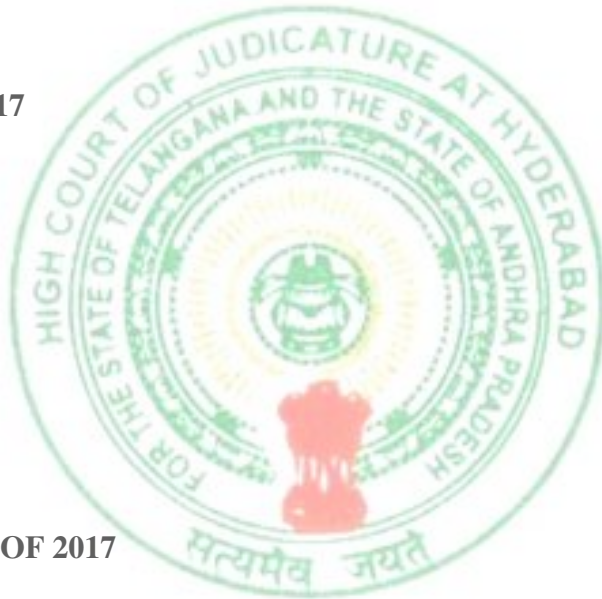
HIGH COURT

Dr.SAJ

DATED: 18-12-2017

ORDER

CRL.P.NO. 12063 OF 2017



ANTICIPATORY BAIL

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 19-12-2017

HIGH COURT

Dr.SAJ



DATED: 18-12-2017

ORDER

CRL.P.NO. 12063 OF 2017

ANTICIPATORY BAIL