

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

TUESDAY, THE THIRTIETH DAY OF JANUARY,
TWO THOUSAND AND EIGHTEEN
: PRESENT:

THE HON'BLE SMT JUSTICE **T.RAJANI**

CRIMINAL PETITION No. 560 of 2018

Between:

1. Akula Susheela, W/o. Late Gattaiah (A1)
2. Akula Mallaiah, S/o. Gattaiah (a2)
3. Akula Nageshwar RAO, S/o. Gattaiah @ Nagesh (A3)
4. Akula Ramesh @ Ravinder, S/o. Gattaiah (A4)
5. Talukolla Vijaya, W/o. Late Sudharshan (A5)
6. AppalaSujatha, W/o. Late Raju (A6)

Petitioners

(Accused 1 to 6 in Cr.No.254/2017
of P.S.Ghanpur (W), Warangal Commissionerate Dist)

AND

The State of Telangana, through Station House Officer, P.S.Ghanpur (W), Warangal Commissionerate District, rep by its Public Prosecutor, High Court of Judicature at Hyderabad.

Respondent/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 direct the SHO, P.S. Ghanpur (W), Warangal Commissionerate District or any other arresting officer to enlarge the Petitioners/Accused No.1 to 6 on bail in the event of their arrest in connection with the Cr.No. 254 of 2017 of the Police P.S., Ghanpur (W), Warangal Commissionerate District.

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

ORDER:

“ This petition is filed seeking for grant of anticipatory bail to the petitioners, who are A1 to A6, in Crime No.254 of 2017 on the file of the Station House Officer, Ghanpur (W) Police Station, Warrangal Commissionerate District. The offences alleged are under Section 306 r/w 34 IPC.

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

3. As per the case of the prosecution, these petitioners went to the house of the *de facto* complainant and abused his wife for not paying the chit amount. On that, the wife of the *de facto* complainant committed suicide.

4. In the considered opinion of this court, the acts of the accused *prima facie* do not constitute an offence punishable under Section 306 IPC. Mere abuses, levelled against the wife of the *de facto* complainant, cannot be said to be sufficient to abet the deceased to commit suicide.

5. In view of the above, this court opines that this is a fit case for granting anticipatory bail.

6. Accordingly, the Criminal Petition is allowed. The petitioners are directed to surrender before the Station House Officer, Ghanpur (W) Police Station, Warrangal Commissionerate District, within 15 days from the date of this order. On such surrender, the petitioners 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 for a like sum each to the satisfaction of the said Station House Officer. Further, on such release, the petitioners shall abide by the conditions mentioned under Section 438(2) Cr.P.C., as under:

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

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- ii) The petitioners 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 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 Spl. Sessions Judge for SC/ST (POA) Cases-cum-VII Additional Sessions Judge, Warangal.
2. The IV Additional Judicial First Class Magistrate at Warangal.
3. The SHO, Ghanpur (W) Police Station, Warangal Commissionerate District.
4. Two CCs to the Public Prosecutor (TG), High Court, Hyd(OUT)
5. One CC to Sri S.Surender Reddy, Advocate(OPUC)
6. One spare copy.

SAH



HIGH COURT

TRJ

DATED: 30-01-2018

ORDER

CRL.P.NO. 560 OF 2018

ANTICIPATORY BAIL



DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 01-02-2018

HIGH COURT

TRJ



DATED: 30-01-2018

ORDER

CRL.P.NO. 560 OF 2018

ANTICIPATORY BAIL