

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
WEDNESDAY, THE TWENTY EIGHTH DAY OF FEBRUARY,
TWO THOUSAND AND EIGHTEEN
:PRESENT:**

THE HONOURABLE SMT JUSTICE T. RAJANI

CRIMINAL PETITION NO: 2054 OF 2018

Between:

1. Gattu Laxman Goud, S/o Venka Goud
2. Kodarla Rajanna, S/o Pochanna

.... **Petitioner/Accused Nos 1 & 2**

AND

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

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the memo of grounds filed herein, the High Court may be pleased to enlarge the petitioners/"Accused Nos 1 & 2 on anticipatory bail in the event of their arrest in Crime No. 47 of 2016 on the file of the Kotapalli Police Station, Adilabad District.

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

ORDER:

This petition is filed seeking for grant of anticipatory bail to the petitioners, who are A1 and A2, in Crime No.47 of 2016 on the file of Kotapalli Police Station, Adilabad District. The offences alleged are under Section 306 r/w 34 of IPC.

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

3. The case of the prosecution is that the father of the defacto complainant has four children and his brother's wife committed suicide and thereafter, his brother agreed to keep the share of the deceased. But, since, his father is having four sons and his marriage is not solemnized, the properties were assured to be partitioned after his marriage. Later, his father and brother went to Laxman Goud's house and enquired and then, they said that the land should be given, otherwise, they would be sent to jail. On the way, these petitioners and others threatened them and said that they would be unable to live.

4. Hence, from the above, it can be understood that there is absolutely no nexus between the suicide committed by the deceased and the alleged threats levelled by the petitioners. It only shows the hyper sensitive attitude of the deceased.

5. Hence, considering the above facts, 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, Kotapalli Police Station, Adilabad 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) 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.
- (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, miscellaneous petitions pending consideration, if any, in this case shall stand closed.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Judicial First Class Magistrate at Chennur, Adilabad District
 2. The Station House Officer, Kotapalli Police Station, Adilabad District
 3. Two CCs to Public Prosecutor (TG), High Court, Hyderabad (OUT)
 4. One C to Sri P. Vishnuvardhana Reddy, Advocate (OPUC)
 5. One spare copy
- Skm

HIGH COURT

TR,J

Drafted by: skm
Drafted on: 03-03-2018

DATE: 28-02-2018



ORDER

CRL.P. NO. 2054 OF 2018

DIRECTION