

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

FRIDAY, THE SECOND DAY OF NOVEMBER,
TWO THOUSAND AND EIGHTEEN
; PRESENT:

THE HON'BLE SMT JUSTICE T.RAJANI

CRIMINAL PETITION No. 11311 of 2018

Between:

A.Krishnaiah, S/o. Chandraiah

Petitioner
(Accused in Cr.No.491/2018
of Shadnagar P.S.)

AND

The State of Telangana, through Public Prosecutor of the High Court.

Respondent/Complainant

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in the grounds filed therein, the High Court may be pleased to enlarge the petitioner on bail in the event of his arrest in Crime No. 491/2018 on the file of Shadnagar Police Station, in the interest of justice.

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

ORDER:

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.11311 of 2018

ORDER:

This petition is filed, under Section 438 of the Criminal Procedure Code, seeking grant of anticipatory bail to the petitioner, who is the accused, in Cr.No.491 of 2018 on the file of the Station House Officer, Shadnagar Police Station, Ranga Reddy District. The offence alleged is under Section 306 of the Indian Penal Code.

2. Heard the counsel for the petitioner and the learned Public Prosecutor appearing for the respondent.

3. The allegations in the complaint are that the petitioner purchased the property from the deceased and that he did not pay sale consideration and that when the complainant approached him and requested for payment of sale consideration, he gave rude replies and told that he already sold the land and that he is not due any amount. On hearing the said words, the deceased went into mental depression and committed suicide.

4. The allegations, on the face of it, do not constitute the offence under Section 306 IPC *prima facie*. Hence, considering the above, this Court opines that it is a fit case for grant of anticipatory bail to the petitioner.

Hence, the criminal petition is allowed and the petitioner is directed to surrender before the Station House Officer, Shadnagar Police Station, Ranga Reddy District within 15 days from the date of this order. On such surrender, the petitioner shall be released on bail

on his executing a personal bond for a sum of Rs.10,000/- (Rupees Twenty Thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer. Further, on such release, the petitioner shall abide by the conditions mentioned under Section 438(2) Criminal Procedure Code, as under:

1. The petitioner shall make himself available for interrogation by a police officer as and when required.
2. The petitioner 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;
3. The petitioner shall not leave India without the previous permission of the Court.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

Sd/- CH.VENKATESWARLU
ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Additional Judicial First Class Magistrate at Shadnagar, R.R.District.
2. The SHO, Shadnagar Police Station, R.R.District.
3. Two CCs to the Public Prosecutor (TG), High Court, Hyd(OUT)
4. One CC to Sri B.Vijaysen Reddy, Advocate (OPUC)
5. One spare copy.

SAH

HIGH COURT

TRJ

DATED: 02-11-2018

ORDER

CRL.P.NO. 11311 OF 2018

ANTICIPATORY BAIL

