

**HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH  
WEDNESDAY, THE FIFTH DAY OF DECEMBER  
TWO THOUSAND AND EIGHTEEN**

**:PRESENT:**

**THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER**

**CRIMINAL PETITION NO: 12669 OF 2018**

**Between:**

1. Bodakunta Rayalingu, S/o Rajaiah
2. Gopu Swaroopa W/o Thirupathi
3. Chunchu Rajitha @ Kalyani W/o Kumar

**Petitioner/Accused**

**AND**

The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad  
**Respondent/Complainant**

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to grant anticipatory bail to the petitioners/accused No.3 to 5 herein and direct the Station House Officer, Ramakrishnapur Police Station, to release the petitioners on bail in the event of their arrest in the Crime No.112 of 2018 of Ramakrishnapur Police Station, Ramgundam District

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of A MOGILI Advocate for the Petitioner(s), THE PUBLIC PROSECUTOR (TG) for the Respondent and the Court made the following.

**ORDER**

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.3 to A.5, for grant of anticipatory bail in Crime No.112 of 2018 of Ramakrishnapur Police Station, Ramgundam District, registered for the offences punishable under Sections 498A & 306 of I.P.C. and Sections 3 & 4 of the Dowry Prohibition Act, 1961.

2. Heard the learned counsel for the petitioners/A.3 to A.5, the learned Additional Public Prosecutor representing the respondent-State and perused the record,

3. The learned counsel for the petitioners/A.3 to A.5 would contend that the petitioners/A.3 to A.5 are innocent persons and they are falsely implicated in this case. There is no specific mention of any grave allegations against them in the First Information Report. Further, the petitioners/A.4 & A.5 are married women and are living separately from the deceased and A.1. They have nothing to do with the death of the deceased-Sireesha and ultimately prayed to allow this application.

4. The learned Additional Public Prosecutor opposed for grant of anticipatory bail to the petitioners/A.3 to A.5.

5. A report was lodged with the police concerned by the de-facto complainant-K.Bhudevi (mother of the deceased-Sireesha) alleging that the petitioners/A.3 to A.5, along with A.1, subjected her daughter Sireesha to physical and mental cruelty due to which, she committed suicide by hanging. As per the records, the petitioners/A.4 & A.5 are married women and they have got separate abode. It is also brought to the notice of this Court that petitioners/A.4 & A.5 are having small children. The specific allegation against them is that they subjected the deceased-Sireesha to mental and physical torture and also demanded additional dowry. Since the petitioners/A.4 & A.5 are married women and are having small children and as they are residing separately from the deceased-Sireesha and A.1, this Court is inclined to grant bail to them under Section 438 of Cr.P.C. on some conditions. As far as the petitioner/A.3 (father-in-law of the deceased) is concerned, there are specific and grave allegations of additional dowry demand and harassment against him. Hence, this Court is not inclined to grant bail to him under Section 438 of Cr.P.C.

6. Accordingly, the Criminal Petition, insofar it relates to the petitioner/A.3, is dismissed. The petitioners/A.4 & A.5 are directed to surrender before the Station House Officer, Ramakrishnapur Police Station,

Ramagundam District, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioners/A.4 & A.5 on bail on each of them executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties in a like sum each to his satisfaction. On such release, the petitioners/A.4 & A.5 shall report before the said Station House Officer on every Sunday between 09:00 AM and 11:00 AM, till filing of the charge-sheet. The petitioners/A.4 & A.5 shall also abide by the conditions stipulated in Section 438 (2) of the Code of Criminal Procedure, 1973, and shall cooperate with the investigating officer in the investigation of the case.

7. The Criminal Petition is, accordingly, allowed in part.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

Sd/-M.RAMESH BABU  
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The 1<sup>st</sup> Additional Judicial Magistrate of First Class at Mancherial
2. The Station House Officer, Ramakrishnapur Police Station, Ramagundam District
3. One CC to SRI. A MOGILI Advocate [OPUC]
4. Two CC's to Public Prosecutor(TG) High Court of Judicature at Hyderabad (OUT)
5. One spare copy

Avs

HIGH COURT

DR SAJ

DATED:05/12/2018

ORDER

CRLP.No.12669 of 2018



3/4  
10/12

BAIL