

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTY FIRST DAY OF JANUARY
TWO THOUSAND AND NINETEEN

:PRESENT:

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER
CRIMINAL PETITION NO: 17 OF 2019

Between:

1. Thogari Sandhya Rani., wife of Raju Raji,
2. Bolli Sujatha., wife of Madhu,

Petitioner/Accused Nos.4 &5

AND

1. The State of Telangana., Rep. by Public Prosecutor, High Court of Judicature at Hyderabad Through SHO Karimnagar 1 Town.

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 enlarge petitioners on bail in the event of their arrest in Crime No. 454 of 2018 of PS Karimnagar-I Town, on such terms and conditions

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof upon hearing the arguments of M RAM MOHAN REDDY Advocate for the Petitioner and the PUBLIC PROSECUTOR (TG) for the Respondent, the court made the following

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), is filed by the petitioners/accused Nos.4 and 5 for grant of anticipatory bail in the event of their arrest in Crime No.454 of 2018 of Karimnagar I Town Police Station, Karimnagar District, registered for the offence punishable under Section 304-B I.P.C.

2. Heard learned counsel for the petitioners/accused Nos.4 and 5 and the learned Additional Public Prosecutor representing the respondent/State. Perused the record.

3. Learned counsel for the petitioners would submit that these petitioners/accused Nos.4 and 5 are married women; that they have separate residence; that petitioner No.1/accused No.4 is residing at Karimnagar, whereas petitioner No.2/accused No.5 is residing at Hyderabad along with her family members; that the petitioners have nothing to do with the death of the deceased Swapna in the subject crime; that the petitioners did not indulge in dowry harassment as alleged in the report, dated 15.10.2018, and ultimately, prayed to allow the petition.

4. The learned Additional Public Prosecutor opposed the grant of bail to the petitioners/accused Nos.4 and 5.

5. As per the material placed on record, the specific allegation against the petitioners is that they have subjected the deceased Swapna to mental cruelty and also demanded additional dowry and 50 Square Yards of open plot along with other accused. The petitioners/accused Nos.4 and 5 are married women. Petitioner No.1 is residing at Karimnagar, whereas petitioner No.2 is residing at Hyderabad.

6. The truth or otherwise of the allegations is required to be established in the course of investigation or on conclusion of trial, as the case may be. Accused Nos.2 and 3 were granted regular bail by this Court vide order, dated 17.12.2018, in CrI.P.No.13172 of 2018. Having regard to the nature of allegations levelled against the petitioners/accused Nos.4 and 5 and the material collected so far, the

petitioners/accused Nos.4 and 5 can be granted bail under Section 438 Cr.P.C. on some conditions.

7. In the result, the petitioners/accused Nos.4 and 5 are directed to surrender before the Station House Officer, Karimnagar I Town Police Station, Karimnagar District, within a period of 15 days from the date of this order. On such surrender, the Station House Officer, Karimnagar I Town Police Station, shall release the petitioners/accused Nos.4 and 5 on bail on each of them executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties in a like sum each to the satisfaction of the said Station House Officer. On such release, the petitioners/accused Nos.4 and 5 shall attend before the said Station House Officer on every Sunday between 10:00 AM and 11:00 AM till filing of the charge sheet and shall abide by the conditions mentioned in Section 438(2) Cr.P.C. and co-operate with the Investigating Officer in the investigation of the case.

8. Accordingly, the Criminal Petition is allowed.

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

Sd/- B.SATYAVATHI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. Additional Judicial First Class Magistrate at Karimnagar.
2. III Additional Session Judge, Karimnagar
3. The Station House Officer of Karimnagar I Town, PS
4. One CC to SRI. M RAM MOHAN REDDY Advocate [OPUC]
5. Two CCs to The PUBLIC PROSECUTOR (TG) High Court of Telangana, at Hyderabad.
6. One Spare Copy

GR

HIGH COURT

DRSAJ

DATED:21/01/2019

ORDER

CRLP.No.17 of 2019

BAIL

