

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE TENTH DAY OF APRIL TWO THOUSAND AND NINETEEN

:PRESENT:

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO: 1788 OF 2019



Between:

Smt. Elligeti Bhulaxmi,, W/o. Sudershan,

...Petitioner/Accused No.2

AND

The State of T.S, rep.by its Public Prosecutor,, High Court of T.S, High Court Buildings,
Rep.by its Inspector of police, Sircilla

...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 petitioner directing the police that the petitioner may be released on bail in the event of vest in connection with Crime No. 244 of 2018, Dt. 20.08.2017, on the file of The Honble Judicial First Class Magistrate, Sircilla;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of M HAMSA RAJ Advocate for the Petitioner, PUBLIC PROSECUTOR, for the Respondent, and 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 petitioner/accused No.2 for grant of anticipatory bail in the event of her arrest in Crime No.244 of 2018 of Sircilla Police Station, Rajanna Sircilla District, registered for the offences alleged under Sections 498A, 323, 290 and 302 read with 34 I.P.C.

2. Heard learned counsel for the petitioner/accused No.2 and the learned Additional Public Prosecutor representing the respondent/State. Perused the record.

3. As per the F.I.R., dated 20.08.2018, accused No.1 - E. Mahender had beaten his wife (Nikitha), mother-in-law (*de facto* complainant) and father-in-law (deceased B. Satyanarayana). The specific allegation against the petitioner/accused No.2 is that she

along with accused No.1 harassed Nikitha physically and mentally on each and every flimsy issue. There is no specific mention that the petitioner/ accused No.2 beat any of the persons. Few allegations of harassment are made against the petitioner/accused No.2. As per the material placed on record, the gravity of the offences alleged is not so high against the petitioner/accused No.2. There are serious and grave allegations against accused No.1 - E. Mahender. The petitioner/accused No.2 is a woman. Considering the totality of the circumstances, the petitioner/ accused No.2 can be enlarged on bail under Section 438 Cr.P.C. on some conditions.

4. In the result, the petitioner/accused No.2 is directed to surrender before the Station House Officer, Sircilla Police Station, Rajanna Sircilla District, within a period of 15 days from the date of this order. On such surrender, the Station House Officer, Sircilla Police Station, Rajanna Sircilla District, shall release the petitioner/accused No.2 on bail on her executing a personal bond for a sum of Rs.15,000/- (Rupees fifteen thousand only) with two sureties in a like sum each to the satisfaction of the said Station House Officer. On such release, the petitioner/accused No.2 shall attend before the said Station House Officer on every Sunday between 09:00 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 Investigation Officer in investigating the case.

5. Accordingly, the Criminal Petition is allowed.

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

//TRUE COPY//

Sd/- T.KRISHNA KUMAR
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To,

1. The Judicial First Class Magistrate, Sircilla
2. The Station House Officer, Sircilla Police Station, Sircilla
3. One CC to SRI. M HAMSA RAJ Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR (TG), High Court at Hyderabad [OUT]
5. One spare copy

HIGH COURT

DR.SAJ

DATED:10/04/2019

ORDER

CRLP.No.1788 of 2019

BAIL

