

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

TUESDAY, THE SEVENTEENTH DAY OF SEPTEMBER TWO THOUSAND AND
NINETEEN

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 5535 OF 2019



Between:

Smt. Kurva Suryakala, W/o. Ramulu

Petitioner/Accused No.2

AND

The State of Telangana, Through P.S. Bhasheerabad, Vikarabad Dist, Rep. by
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 direct the S.H.O. Bhasheerabad to enlarge the Petitioner/Accused No.2 on bail in the event of her arrest in Crime No. 80 of 2019. Dt. 10-07-2019 on the file of Police Station Bhasheerabad, Vikarabad district.

The petition coming on for hearing, upon perusing the Petition and upon hearing the arguments of SRI CH. VIDYASAGAR RAO Advocate for the Petitioner and THE ADDITIONAL PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5535 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/A2, seeking to grant anticipatory bail in Crime No.80 of 2019 on the file of Basheerabad Police Station, Vikarabad District, registered for the offence under Section 498-A and 306 IPC.

2. Heard learned counsel for the petitioner/A2, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. It is alleged in the complaint that on 10.07.2019 at 02.00 hours, the daughter of the de-facto complainant committed suicide by hanging due to the unbearable harassment of her husband-A1, who was having illicit relationship with the petitioner/A2.

4. Learned counsel for the petitioner submits that the petitioner is innocent of the alleged offences as she is no way concerned with the death of the wife of A1, except the alleged illicit relationship and that there are no specific overt acts attributed against her. He further submits that the petitioner is having small children and if she is arrested, it would effect on the life of her children. Learned counsel further submits that 13 witnesses were examined by the prosecution and entire investigation is completed and the confessional statement of A1 was also recorded. He further submits that the petitioner is a permanent resident of Gottigakurdu Village having movable and

immovable properties and she is ready to abide by any condition imposed by this Court.

5. Learned Additional Public Prosecutor has vehemently opposed to grant anticipatory bail to the petitioner.

6. In view of the nature of allegations leveled against the petitioner and the facts and circumstances, without adverting to the merits of the matter, it is a fit case to grant anticipatory bail to the petitioner/A2 with certain conditions.

7. Accordingly, the Criminal Petition is allowed and the petitioner/A2 is directed to surrender before the Station House Officer, Basheerabad Police Station, Vikarabad District, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/A2 on bail on her executing a personal bond for a sum of Rs.15,000/- (Rupees fifteen thousand only) with two sureties for a like sum each to his satisfaction. On such release, the petitioner/A2 shall abide by the conditions stipulated in Section 438(2) Cr.P.C and co-operate with the investigating officer in investigating the case.

8. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

SD/- K.SAILESHI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The special Sessions Judge for Trial of Cases relating to atrocities against women, Vikarabad, Ranga Reddy District
2. The S.H.O Bhasheerabad Police Station, Vikarabad District
3. One CC to SRI. CHITNENI.VIDYASAGAR RAO Advocate [OPUC]
4. Two CC's to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
5. One spare copy

Avs

HIGH COURT

GSDJ

DATED:17/09/2019

ORDER

CRLP.No.5535 of 2019



BAIL