

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

**THURSDAY, THE FIFTH DAY OF MARCH
TWO THOUSAND AND TWENTY**

**:PRESENT:
THE HON'BLE JUSTICE G.SRI DEVI**

CRIMINAL PETITION NO: 1304 OF 2020

Between:

Konduru Rajitha @ Konduru Rajini, W/o. Santosh,

Petitioner/Accused

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana, at Hyderabad.

1st Respondent/State

2. Chirala Sailu, S/o. Lakshmaiah, R/o.H.No.6-21-138, Arundathi Nagar, Dubba, Nizamabad town, Nizamabad District.

2nd Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the petition and the grounds filed herein, the High Court may be pleased to release the petitioner on bail in event of her arrest in Crime No.356 of 2019 on the file of III Town Police Station, Nizamabad, Nizamabad District.

Counsel for the Petitioner : SRI A.PRABHAKAR RAO

Counsel for the Respondent : ADDL. PUBLIC PROSECUTOR

The Court made the following;

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1304 of 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/A5, seeking to grant anticipatory bail to her in Crime No.356 of 2019 on the file of Nizamabad III Town Police Station, Nizamabad District, registered for the offences under Section 304-B IPC and under Section 3(2)(v) of SCs & STs (POA) Amendment Act, 2015.

2. Heard learned counsel for the petitioner/A5, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. It is alleged in the complaint that the marriage of second daughter of de-facto complainant, namely Priyanka, was performed with A1 in Aryasamaj at Kukatpally, Hyderabad, and after marriage, they lived happily at Hyderabad for one year by doing private jobs. Thereafter, A1 at the instigation of A2 to A5 used to harass the daughter of de-facto complainant mentally and physically by demanding additional dowry and he used to beat her mercilessly in drunken state and that several panchayats held to settle the disputes between the couple, but in vain and that due to unbearable harassment of accused, his daughter committed suicide by hanging in their bedroom.

4. Learned counsel for the petitioner/A5 submits that the petitioner has not committed any offence as alleged by the

prosecution and that she was living separately with her husband at Nirmal Town and she did not harass the deceased in any manner. He further submits that the petitioner/A5 was falsely implicated merely because she is sister of A1. He further submits that the petitioner/A5 is carrying six months pregnancy as per the report of Srinivasa Diagnostic Centre dated 09.10.2019 and she is under constant supervision of the doctor as her earlier pregnancy was aborted twice. He further submits that there are no specific allegations against petitioner/A5 attracting the offence under Section 304-B IPC. He further submits that the petitioner is having fixed address and properties and she shall abide by any condition imposed by this Court.

5. Learned Additional Public Prosecutor opposed to grant anticipatory bail to the petitioner/A5

6. As seen from the contents of FIR and the statements of witnesses, there is an allegation that the petitioner/A5 used to visit the house of A1 and instigated A1 to demand the deceased for dowry from her parents. However, in view of the nature of allegations leveled against the petitioner/A5 and her health condition and other facts and circumstances, without adverting to the merits of the matter, I am inclined to grant anticipatory bail to petitioner/A5, by imposing some conditions.

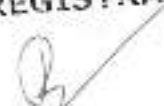
7. Accordingly, the Criminal Petition is allowed and the petitioner/A5 is directed to surrender before the Station House Officer, Nizamabad III Town Police Station, Nizamabad District,

within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/A5 on bail on her executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to his satisfaction. Further, the petitioner/A5 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.

//TRUE COPY//

SD/- N. CHANDRASEKHARA RAO
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The 1 Addl. Judicial Magistrate of First Class, Nizamabad.
2. The Station House Officer, Nizamabad III Town Police Station, Nizamabad District.
3. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
4. one CC to Sri A.Prabhakar Rao, Advocate (OPUC)
5. one Spare Copy

HIGH COURT

GSD,J

DATE: 05-2-2020

ORDER

CRL.P. NO. 1304 OF 2020

PETITION ALLOWED



A handwritten signature in dark ink, consisting of a large, stylized 'S' or 'Z' shape followed by a long horizontal stroke.