

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

WEDNESDAY, THE TWENTY SECOND DAY OF JANUARY
TWO THOUSAND AND TWENTY

:PRESENT:

**THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 8458 OF 2019**

Between:

1. Komma Srinivasa Rao S/o. Late K.Pentaiah,
2. Komma Lalitha Kumari, W/o K. Srinivasa Rao,
3. Natti Pavani, D/o K. Srinivasa Rao,
4. Komma Naveen, S/o K. Srinivasa Rao,
5. Ch. Krishnaveni, W/o. Ch. Narayan Rao,

Petitioners/Accused No. 1 to 5

AND

1. The Station House Officer and Another, Ameenpur, Police Station, Sangareddy District.
2. The State of Telangana, Rep. by Public Prosecutor, High Court Telangana, Hyderabad.

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the petitioners/Accused no. 1 to 5 on bail in Cr. No. 240 of 2019 of Ameenpur Police Station, Medak District dated 20/08/2019 in the event of their arrest in the said crime.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI MURALIDHAR REDDY KATRAM Advocate for the Petitioners and Additional Public Prosecutor for the Respondent No.2, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.8458 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioners/A1 to A5, seeking to grant anticipatory bail to them in Crime No.240 of 2019 on the file of Ameenpur Police Station, Sangareddy District, registered for the offence under Section 174 Cr.P.C.

2. Heard learned counsel for the petitioners/A1 to A5, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. It is alleged in the complaint that the brother-in-law of the de-facto complainant, namely, Netti Aditya, aged 27 years, has committed suicide by hanging himself in his flat on 20.08.2019 at about 4.32 hours, because of the harassment made by his wife and her parents.

4. Learned counsel for the petitioners/A1 to A5 submits that the police registered the crime initially under Section 174 Cr.P.C., and later, on account of suicide note, the Section of law was altered to Section 306 IPC. He further submits that on the date of death of the deceased, petitioner Nos.1,2,4 and 5 were not present at Hyderabad and petitioner No.3 also left to her office due to night shift and as such, there is no question of abetment of suicide by petitioners and the deceased was alone in the house. He further submits that the contents of suicide note do not attract the ingredients of the alleged offence. He further submits that the petitioners are law abiding

citizens and they shall cooperate with the investigation and they shall abide by any condition imposed by this Court.

5. Learned Additional Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioners and submits that as per the suicide note left by the deceased, there are specific allegations against the petitioners, particularly against petitioner Nos.3 and 5 and hence, these two petitioners are not entitled for anticipatory bail.

6. As seen from the contents of suicide note, the deceased categorically stated that due to the harassment inflicted upon him by petitioner Nos.3 and 5, he has taken a drastic step to commit suicide. Since there are specific allegations of inflicting torture by petitioner Nos.3 and 5 in the suicide note, I am not inclined to grant anticipatory bail to them and accordingly, their prayer for anticipatory bail is rejected.

7. However, as per the suicide note, there are general allegations leveled against petitioner Nos.1,2 and 4 and there is no specific allegation that they have abetted or inflicted torture on the deceased to commit suicide and therefore, I am inclined to grant anticipatory bail to them with certain conditions.

8. Accordingly, the Criminal Petition is partly allowed and petitioner Nos.1,2 and 4/A1, A2 and A4 are directed to surrender before the Station House Officer, Ameenpur Police Station, Sangareddy District, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release petitioner Nos.1,2 and 4/A1, A2 and A4 on bail on their executing a personal bond for a sum of Rs.25,000/- (Rupees twenty

five thousand only) each with two sureties for a like sum each to his satisfaction. On such release, the petitioner Nos.1,2 and 4/A1, A2 and A4 shall appear before the Investigating Officer on 1st and 3rd Saturday of every month between 10.00 AM to 2.00 PM., till completion of investigation or filing of the charge sheet, whichever is earlier and they shall abide by the conditions stipulated in Section 438(2) Cr.P.C and co-operate with the investigating officer in investigating the case.

9. The Criminal Petition is dismissed against the petitioner Nos.3 and 5/A3 and A5.

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

//TRUE COPY//

SD/- K. PRABHAKAR
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Second Class Executive Magistrate (Tahasildar) at Ameenpu
2. The Station House Officer, Ameenpur, Police Station, Medak District
3. One CC to SRI. MURALIDHAR REDDY KATRAM Advocate [OPUC]
4. Two CCs Public Prosecutor, High Court at Hyderabad. [OUT]
5. One Spare Copy

GR

HIGH COURT

GSDJ

DATED:22/01/2020

ORDER

CRLP.No.8458 of 2019

BAIL

