

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE TWELFTH DAY OF JANUARY TWO THOUSAND AND TWENTY ONE

**:PRESENT:
THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY**

CRIMINAL PETITION NO: 166 OF 2021

Between:

1. Pudari Sarvesh, S/o. Lingalah,
2. Koyyala Devender, S/o Rajaiah,
3. Eeda Rani, W/o Mahesh,

...Petitioner/Accused Nos. 1 to 3

AND

The State of Telangana, , through S.H.O., Godavarikhani I Town Police Station,
Peddapalli District, rep. by its Public Prosecutor, High Court, 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 herein on bail in the event, their arrest in connection with FIR 509 of 2020 on the file of the Godavarikhani-I Town P.S., Peddapalli District;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI N HARI PRASAD Advocate for the Petitioner, and of PUBLIC PROSECUTOR, for the Respondent, the Court made the following.

ORDER:

THE HON'BLE SRI JUSTICE B.VIJAYSEN REDDY

CRIMINAL PETITION No.166 of 2021

ORDER:

The petitioners herein, who are accused Nos.1 to 3 in Crime No.509 of 2020 of Godavarikhani I Town Police Station, registered for the offence punishable under Section 306 read with Section 34 IPC, filed this Criminal Petition under Section 438 Cr.P.C, seeking anticipatory bail.

Accused No.3 is the wife of the deceased. Accused No.1 is the former employer of the deceased and accused No.2 is the friend of accused No.1. Even as per the admitted contents of the report lodged by the sister of the deceased, since about one and a half year back accused No.3 left the company of the deceased along with her children. It is alleged that on 13.12.2020 while the deceased was going to his house, accused Nos.1 and 2 picked up a quarrel with the deceased. The deceased asked accused No.1 as to why he has taken his wife (accused No.3) and accused No.1 replied that he would keep accused No.3 as his mistress and beat the deceased. Thus, it is alleged that there was abetment for the deceased to commit suicide.

The allegations are very vague and even taken on the face value, they do not amount to abetment of suicide. There is no mention in the report as to when and at what place the accused Nos.1 and 2 intercepted the deceased. Keeping in view the fact that accused No.3 had been living separately with the deceased for the past more than one and a half year, this Court is inclined to granted anticipatory bail to the petitioners/accused Nos.1 to 3.

In the result, the Criminal Petition is allowed. The petitioners/accused Nos.1 to 3 shall be released on bail, in the event of their arrest in Crime No.509 of 2020 of Godavarikhani I Town Police Station, on their executing a bond for Rs.10,000/- (Rupees ten thousand only) each with two sureties for the like sum each to the satisfaction of arresting Police officials, and with a condition that they shall make themselves available for interrogation as and when required by the concerned Police and they shall report in the concerned police station on every Sunday between 10:00 am and 12:00 noon until the charge sheet is filed.

As a sequel, miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

SD/- T.KRISHNA KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The I Addl. Judicial Magistrate of First Class, Godavarikhani
2. The VI Addl. Sessions Judge, Godavarikhani
3. The S.H.O., Godavarikhani I Town Police Station, Peddapalli District
4. One CC to SRI. N HARI PRASAD Advocate [OPUC]
5. One CC to PUBLIC PROSECUTOR, High Court of Telangana [OUT]
6. One spare copy

HIGH COURT

BVRJ

DATED:12/01/2021

ORDER

CRLP.No.166 of 2021



BAIL