

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

**TUESDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO: 264 OF 2021

Between:

1. Gourarapu Thirupathamma, W/o Chandram, Aged about 38 Years, Occ. Coolie, R/o Dharmaram Village, Wazeedu Mandal, Mulugu District.
2. Ekkala Padma, W/o Late Sammaiah, Aged about 42 Years, Occ. Coolie, R/o Dharmaram Village, Wazeedu Mandal, Mulugu District.

...PETITIONER/ACCUSED Nos.2 & 3

AND

The State of Telangana, rep. by its Public Prosecutor, High Court at Hyderabad, Hyderabad.

...RESPONDENT/COMPLAINANT

Petition under Section 438 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to enlarge the petitioners/Accused Nos.2 and 3 on bail in the event of their arrest in Cr.No.106/2020, dated 18/09/2020 on the file of the P.S. Vankatapuram.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri K. Sarath, Advocate for the Petitioners and the Public Prosecutor (TG) on behalf of the Respondent.

The Court made the following: ORDER

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.264 OF 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioners/A-2 and A-3, for grant of anticipatory bail in Crime No.106 of 2020 of P.S. Venkatapuram, Mulugu District, registered for the offence punishable under Section 306 of the Indian Penal Code.

Heard the learned counsel for the petitioners/A-2 and A-3, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

In the FIR, it is *inter alia* stated that the *de facto* complainant gave a complaint on 18.09.2020 at 6.00 pm stating that due to unbearable harassment in the hands of the petitioners/A-2 and A-3, his mother deeply depressed and mentally sagged and consumed insecticide poison and committed suicide on the same day at 9.00 hours while undergoing treatment at Government Hospital, Venkatapuram. Hence, the FIR.

Learned counsel for the petitioners/A-2 and A-3 would submit that the petitioners are innocent and they are no way concerned with the alleged offence. The petitioners/A-2 and A-3 are law-abiding citizens and are prepared to abide by any condition which this Court may deem fit to impose in case of granting anticipatory bail. Hence, he prayed to grant anticipatory bail to the petitioners/A-2 and A-3.

Learned Additional Public Prosecutor representing the respondent-State opposed to grant anticipatory bail to the petitioners/A-2 and A-3.

As seen from the contents of the FIR, there are specific allegations against the petitioners/A-2 and A-3 that they harassed the deceased and unable to bear the harassment, she committed suicide.

Having regard to the facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioners/A-2 and A-3.

The Criminal Petition is, accordingly, dismissed. However, if the petitioners/A-2 and A-3 surrender before the competent Court within a period of fifteen days from today and apply for regular bail, the same shall be considered by the said Court, in accordance with law.

Miscellaneous applications, if any, pending shall stand closed.

//TRUE COPY//

SD/-N.CHANDRASEKAR RAO
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The V Additional District and Sessions Judge, Kothagudem, Khammam District.
2. The Judicial First Class Magistrate, Bhadrachalam, Khammam District.
3. The Station House Officer, Venkatapuram Police Station, Khammam District.
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
5. One CC to Sri. K Sarath, Advocate [OPUC]
6. Two CD Copies

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HIGH COURT

DATED: 16/02/2021



ORDER

CRLP.No.264 of 2021

DISMISSING THE CRIMINAL PETITION

AVM/8
27/2/2021