

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TWENTY SIXTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO: 873 OF 2021

Between:

Smt. Bhukya Swaroopa, W/o late Shankar aged 34 years Occ- coolie,
r/o Korrathanda, Raghunadhapalem (M) Khammam District

...PETITIONER/ACCUSED

AND

The State of Telangana, through Public prosecutor, High Court at 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 grant anticipatory bail to the petitioner/Accused, pending investigation and trial in Cr. No. 13/2021 of P.S. Raghunadhapalem, Khammam District.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri. Kowturu Pavan Kumar, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No 1.

The Court made the following: ORDER

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.873 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C'), is filed by the petitioner/Accused for grant of anticipatory bail in the event of her arrest in connection with Crime No.13 of 2021 of Ragunathapalem Police Station, Khammam District, registered for the offence punishable under Section 306 I.P.C.

2. Heard learned counsel for the petitioner and the learned Additional Public Prosecutor representing the respondent/State. Perused the record.

3. Learned counsel for the petitioner would submit that the petitioner is innocent of the offence alleged against her; that except baseless allegations by father of the deceased about the phone calls made by the petitioner, there is no direct overt acts attributed against the petitioner for the alleged incident; that the petitioner is a widow having two minor children, especially physically handicapped daughter; that the petitioner has been falsely implicated in this case; that the petitioner is willing to comply with any condition that may be imposed by this Court and ultimately, prayed this Court to grant anticipatory bail to the petitioner.

4. On the other hand, learned Additional Public Prosecutor opposed petition.

5. As seen from the contents of the First Information Report and other material available on record, there are specific

allegations against the petitioner that she seduced the deceased, for which the deceased could not bear the torture inflicted upon him and committed suicide.

6. Thus, looking into nature of allegations levelled against the petitioner and the gravity of the offence, I am not inclined to grant bail to the petitioner. Therefore, the prayer for anticipatory bail is rejected. However, if the petitioner/accused surrenders before the Court concerned within a period of fifteen (15) days from today and files an application for grant of regular bail, after giving prior notice to the Public Prosecutor, the same shall be considered in accordance with law.

7. With the above direction, the Criminal Petition is dismissed.

Miscellaneous petitions, if any, pending shall stand closed.

//TRUE COPY//

SD/-K.AMMAJI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The III Additional Judicial First Class Magistrate Court at Khammam.
2. The Station House Officer, Raghunadhapalem Police Station, Khammam District.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to Sri. Kowturu Pavan Kumar, Advocate [OPUC]
5. Two CD Copies

CDL

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HIGH COURT

DATED:26/02/2021



ORDER

CRLP.No.873 of 2021

DISMISSING THE CRIMINAL PETITION

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KEMA
08/03/2021