

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TWENTY THIRD DAY OF APRIL TWO THOUSAND AND

TWENTY ONE

**:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI**

CRIMINAL PETITION NO: 2982 OF 2021

Between:

1. Kolluru Nagamani, W/o. Ramu @ Ramakrishnarjuna Rao
2. Kolluru Chaitanya, S/o. Ramu @ Ramakrishnarjuna Rao

Petitioner/Accused NOs.3 & 4

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad
through The Station House Officer, P.S. Paloncha, Bhadradi Kothagudem District

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the Criminal Petition, the High Court may be pleased to enlarge the Petitioners/Accused Nos. 3 and 4 on bail in connection with FIR. No. 74 of 2021 on the file of PS, Paloncha Town, Bhadradi-Kothagudem.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri PULLA RAO YELLANKI, Advocate for the Petitioners, Asst. PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.2982 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A3 and A4 seeking to grant anticipatory bail in the event of their arrest in Cr.No.74 of 2021 on the file of Paloncha Town Police Station, Bhadrachali-Kothagudem District, registered for the offences punishable under Sections 294(b), 323, 506, 306 read with Section 149 IPC.

2. Heard learned counsel for the petitioners/A3 and A4, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. It is alleged in the complaint that on 05.03.2021 at 1.30 PM., when the de-facto complainant and her husband went to the house of A1 for asking car loan amount, all the accused abused them in filthy language, necked them out from their house saying that they never give the loan amount, threatened them with dire consequences and also abetted her husband to commit suicide, thereupon, her husband went to the house and committed suicide by consuming poison and immediately, they shifted her husband to the hospital, where he died on 14.03.2021.

4. Learned counsel for the petitioners/A3 and A4 would submit that the petitioners are innocent of the alleged offences and a false case has been foisted against them. He further submits that the de-facto complainant with an evil intention has filed a false case against them though there are no way concerned with the alleged non-payment of car loan. He further submits that the entire investigation is completed, except filing of the charge sheet. He also submits that the petitioners are law abiding citizens and they are ready to abide by any condition that may be imposed by this Court in the event of their enlargement on anticipatory bail.

5. Learned Assistant Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioners.

6. The allegation against the present petitioners is that when the de-facto complainant asked A1 to return the amount deducted by the Bank, he abused her in filthy language by holding her tuft of hair, assaulted on her cheeks, meanwhile, the present petitioners intervened into the matter and they along with A1 torn her blouse, dragged her to the ground floor and thrown her out of their house threatening her to file case wherever she likes. Thus, looking into the nature of allegations leveled against the petitioners, it seems that the case is made out under Sections 394(b), 323 and 506 IPC, which are punishable for less than 7 years imprisonment. Thus, having regard to the facts and circumstances, without adverting to the merits of the matter, I am inclined to grant anticipatory bail to the petitioners/A3 and A4.

7. The Criminal Petition is accordingly allowed and the petitioners/ A3 and A4 are granted anticipatory bail subject to the following terms and conditions:

(i) The petitioners/A3 and A4 are directed to surrender before the Station House Officer, Paloncha Police Station, Bhadradri-Kothagudem District, within a period of 15 days from the date of this order and on such surrender, the said Station House Officer shall release the petitioners/A3 and A4 on bail on their executing a personal bond to the tune of Rs.15,000/- (Rupees fifteen thousand only) each with two sureties for the like sum each to his satisfaction.

(ii) The petitioners/A3 and A4 shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Investigating Authority.

(iii) The petitioners/A3 and A4 shall not act in any manner which will be prejudicial to fair and expeditious investigation.

(iv) The petitioners/A3 and A4 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

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

SD/- K.AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

KAC
SECTION OFFICER

To,

1. The V Addl. District & Sessions Judge, Kothagudem.
2. The 2nd Additional Judicial First Class Magistrate at Kothagudem.
3. The Station House Officer, P.S. Paloncha, Bhadrachalam Kothagudem.
4. One CC to SRI PULLA RAO YELLANKI Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT)
6. One spare copy

mvj

HIGH COURT

GSD,J

DATED:23/04/2021

ORDER

CRLP.No.2982 of 2021

BAIL



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