

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
WEDNESDAY, THE NINTH DAY OF JUNE TWO THOUSAND AND TWENTY ONE
:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 4090 OF 2021

Between:

Cheraka Rajini, W/o. Late Ch. Bala Krishna

...Petitioner/Accused No.1

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana at 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 grant the anticipatory bail to this Petitioner in the event of their arrest in connection with the above Crime No.245 of 2021, P.S., Uppal.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of M/s K. BUCHI BABU Advocate for the Petitioner and of Assistant PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4090 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A1 seeking to grant anticipatory bail in the event of her arrest in Cr No 245 of 2021 on the file of Uppal Police Station, Rachakonda District, registered for the offence punishable under Section 306 IPC.

2. Heard learned counsel for the petitioner/A1, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. It is alleged in the complaint that the marriage of petitioner with the deceased-Cheraka Balakrishna was performed at about 15 years ago from the date of the complainant and they blessed with two children and thereafter, due to quarrel between them and due to his problems, the deceased committed suicide by hanging himself to ceiling fan.

4. Learned counsel for the petitioner/A1 would submit that since the date of marriage, the deceased and his parents harassed the petitioner physically and mentally for additional dowry, due to which, she filed DVC before the police and the same is pending. He would further submit that even as per the complaint, there are no ingredients of abetment of suicide by petitioner. He would also submit that the petitioner is a law abiding citizen and ready to abide by any condition that may be imposed by this Court in the event of her enlargement on anticipatory bail.

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

6. A perusal of the material papers would show that the petitioner being wife of the deceased was harassed and humiliated by the deceased and she has filed a case under Domestic Violence Act and the Protection

Officer has given a notice to both parties on 22.02.2021 and in compliance of the same, they appeared before the concerned authority on 16.03.2021 for counseling, wherein the petitioner has specifically stated that the deceased used to come to the house in a drunken state and quarrel with the petitioner, and their children also scared with the behavior of the deceased and that the mother-in-law of petitioner also never supported her. Thereafter, on the same day, the deceased committed suicide, that itself shows that there was no instigation or abetment on the part of the petitioner to commit suicide by the deceased. Moreover, the other accused have already been enlarged on bail in this case. Thus, looking into the nature of allegations leveled against the petitioner and other facts and circumstances, and also in view of peculiar conditions of pandemic COVID-19 prevailing in the country, without delving into the merits of the matter, I am inclined to grant anticipatory bail to the petitioner/A1.

7. The Criminal Petition is accordingly allowed and the petitioner/A1 is granted anticipatory bail subject to the following terms and conditions:

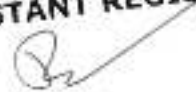
(i) The petitioner/A1 is directed to surrender before the Station House Officer, Uppal Police Station, Rachakonda District, within a period of 15 days from the date of this order and on such surrender, the said Station House Officer shall release the petitioner/accused on bail on her executing a personal bond to the tune of Rs.15,000/- (Rupees fifteen thousand only) with two sureties for the like sum each to his satisfaction.

(ii) The petitioner/A1 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.

//TRUE COPY//

SD/- K. VENKAIAH
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The III Metropolitan Magistrate Cyberabad at L.B Nagar.
2. The XIV Additional Metropolitan Sessions Judge, Ranga Reddy District at L.B Nagar.
3. The S.H.O., P.S, Uppal Rachakonda.
4. One CC to M/s. K. BUCHI BABU, Advocate [OPUC].
5. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT].
6. One spare copy
ZEE

HIGH COURT

GSDJ

DATED:09/06/2021

ORDER

CRLP.No.4090 of 2021



BAIL