

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

WEDNESDAY, THE TWENTY SEVENTH
DAY OF OCTOBER TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 6096 OF 2021

Between:

1. Thantipamula Harshini, D/o. Ramesh,
2. Thatipamula Vijaya, W/o. Ramesh,
3. Thatipamula Ramesh, S/o. T. Laxmipathi,

Petitioners/Accused Nos.1 to3

AND

1. The State of Telangana, Rep.by Public Prosecutor, High Court of Telangana At Hyderabad.
2. Namindla Thirumala, W/o. Late Linga Swamy, Aged about 40 years, Occ Housewife R/o. Huzurabad, Karimanagar.

Respondents

Petition under Section 438 of Cr.P.C, praying that in the circumstances stated in the grounds filed in the Criminal Petition, the High Court may be pleased to enlarge the Petitioners on bail in the event of their arrest in connection with FIR No.196/2021 on the file of PS-Huzurabad, Karimnagar District in the interest of justice

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI RAJAGOPALLAVAN TAYI Advocate for the Petitioners and the Assistant Public Prosecutor for the Respondent No.1, M/s Ravikumar Vadlakonda for Respondent No.2 (being not present) the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.6096 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A1 to A3 seeking to grant anticipatory bail in the event of their arrest in Cr.No.196 of 2021 on the file of Huzurabad Police Station, Karimagar District, registered for the offence punishable under Section 306 read with Section 34 IPC and under Section 3(1)(r)(s) of SCs & STs (POA) Amendment Act, 2015.

2. Heard learned counsel appearing for the petitioners/A1 to A3, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record. Though notice has been sent to the 2nd respondent, none appears on her behalf.

3. The case of the prosecution is that on 29.06.2021 at 0900 hours, a complaint was registered against the son of the de-facto complainant i.e., deceased Namindla Siddhartha, due to love affair with A1, and subsequently, A1 to A3 abused the deceased in the name of his caste, A1 threatened him that she will commit suicide and A2 and A3 also instigated the deceased to commit suicide and abused him in the name of his caste, due to which, the deceased committed suicide by consuming pesticide poison and died on 28.06.2021 while undergoing treatment.

4. Learned counsel for the petitioners submits that the petitioners are innocent of the alleged offences and they have been falsely implicated in the present case. He further submits that the deceased used to harass the 1st petitioner-A1 in the name of love and that the petitioners never insulted the deceased in the name of his caste and they never abetted him to commit suicide. He also submits that the petitioners have no criminal antecedents prior to this occurrence and they are law abiding citizens and

ready to abide by any condition 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 petitioners.

6. As seen from the contents of FIR and other material papers, it seems that there was love affair between A1 and the deceased and that as A2 and A3 being parents of A1 did not accept their affair, abused and abetted the deceased to commit suicide and accordingly, the deceased has taken such drastic step and succumbed to the same on 28.06.2021. Thus, looking into the nature of allegations leveled against the 2nd and 3rd petitioners/A2 and A3 and their involvement in commission of the crime, I am not inclined to release them on anticipatory bail and accordingly, their prayer for anticipatory bail is rejected.

7. Insofar as 1st petitioner/A1 is concerned, as per the statement of witnesses, it seems that she has voluntarily called the deceased to take her to his house and accordingly she went to the house of the deceased out of her free will. A perusal of the entire case diary, there are no allegations against A1 that she has instigated, abetted or abused the deceased in the name of his caste. Thus, looking into the nature of allegations leveled against the 1st petitioner/A1, I am inclined to grant anticipatory bail to her.

8. The Criminal Petition is partly allowed and the 1st petitioner/A1 is granted anticipatory bail subject to the following terms and conditions:

- (i) The 1st petitioner/A1 is directed to surrender before the Station House Officer, Huzurabad Police Station, Karimnagar 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 1st petitioner/A1 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) On such release, the 1st petitioner/A1 shall appear before the Investigating Officer as and when required for the purpose of investigation and she shall cooperate with the investigation.

(iii) The 1st petitioner/A1 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

9. The Criminal Petition is dismissed against the 2nd and 3rd petitioners/A2 and A3.

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

//TRUE COPY//

SD/-B.SATYAVATHI
ASSISTANT REGISTRAR
Chm
SECTION OFFICER

To,

1. The I Additional Judicial First Class Magistrate, Huzurabad.
2. The Station House Officer, Huzurabad Police Station, Karimagar District.
3. One CC to SRI. RAJAGOPALLAVAN TAYI Advocate [OPUC]
4. One CC to M/s Ravikumar Vadlakonda Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
6. One Spare copy

HIGH COURT

GSDJ

DATED:27/10/2021

ORDER



CRLP.No.6096 of 2021

BAIL