

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE EIGHTEENTH DAY OF OCTOBER TWO THOUSAND AND TWENTY ONE
:PRESENT:
THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER
CRIMINAL PETITION NO: 7517 OF 2021

Between:

Y. Nagaraj @ Arramoni Nagaraju, S/o. Yadagiri Late

...Petitioner/Accused No.3

AND

The State of Telangana, Rep. by Public Prosecutor High Court for the State of Telangana Through P.S., Lallaguda.

...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 enlarge the Petitioner/Accused No.3 on "BAIL" in the event of his arrest, in Crime No.55 of 2021 on the file of P.S., Lallaguda.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of MR. K. RAVINDER RAO Advocate for the Petitioner and of Assistant PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C'), is filed by the petitioner/A.3 for grant of anticipatory bail in Crime No.55 of 2021 of Lallaguda Police Station, Hyderabad, registered for the offences punishable under Sections 498A, 323 and 306 of IPC.

2. Heard the learned counsel for the petitioner/A.3, the learned Assistant Public Prosecutor representing the respondent-State and perused the record.
3. During the course of submissions, it is brought to the notice of this Court by the learned counsel for the petitioner/A.3 that on an earlier occasion, the deceased had made an attempt to commit suicide by consuming tablets on 19.06.2020. There are specific allegations against A.1 and A.2 in this case, who are the brother-in-law and sister-in-law of the deceased. When the police recorded the statement of the father of the deceased (de-facto complainant/LW.1) at the first instance, he did not speak anything against the petitioner/A.3, who is the husband of the deceased. Subsequently, the deceased died on 29.06.2021 due to drowning. Taking advantage of the same, a false case is fabricated against the petitioner/A.3 and the offence under Section 306 of IPC is also added. It is also submitted on behalf of the petitioner/A.3 that at during the performance of marriage between the deceased and the petitioner/A.3, a house plot admeasuring 50 square yards was given to the deceased towards gift by her father. When the father of the deceased demanded for return of the said house plot and when the petitioner/A.3 did not oblige the said demand, he is roped into this case, after recording the statement of LW.1/de facto complainant for the second time.

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4. In view of the nature of accusations against the petitioner/A.3 and the material collected so far and as there were no allegations against the petitioner/A.3 at the first instance, either in the FIR or in the statement of the de-facto complainant recorded at the first instance and as it has been projected before this Court that the deceased and the petitioner/A.3, who are wife and husband, lead happy matrimonial life for a period of nine years and considering the totality of the circumstances, this Court is inclined to grant anticipatory bail to the petitioner/A.3, subject to the following conditions.

- (i) The petitioner/A.3 is directed to surrender before the Station House Officer, Lallaguda Police Station, Hyderabad, within a period of 15 days from the date of this order.
- (ii) On such surrender, the said Station House Officer shall release the petitioner/A.3 on bail, on his executing a personal bond for a sum of Rs.15,000/- (Rupees fifteen thousand only) with two sureties for a like sum each to his satisfaction.
- (iii) The petitioner/A.3 shall not, directly or indirectly, meddle with the investigation, intimidate or induce the witnesses, tamper the evidence and he shall co-operate with the Investigating Officer in the investigation of the subject case.
- (iv) The petitioner/A.14 shall also abide by the conditions stipulated in Section 438(2) Cr.P.C., and shall cooperate with the investigating officer in investigating the case.

5. This Criminal Petition is, accordingly, allowed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

//TRUE COPY//

SD/-B. SATYAVATHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Special Judge for Trial of Offences Under S.Cs and STs (POA) Act Cum VI Additional Metropolitan Sessions Judge at Secunderabad.
2. The XIII Additional Chief Metropolitan Magistrate at Hyderabad.
3. The XXII Additional Chief Metropolitan Magistrate at Secunderabad.
4. The Station House Officer, Lalaguda Police Station at Hyderabad.
5. One CC to MR. K. RAVINDER RAO, Advocate [OPUC].
6. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT].
7. One spare copy
ZEE

HIGH COURT

Dr.SAJ

DATED:18/10/2021

ORDER

CRLP.No.7517 of 2021

BAIL

