

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE FIFTH DAY OF NOVEMBER TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 7926 OF 2021

Between:

1. Smt. Govindpur Swapna, W/o. G. Prabhu,
2. M. Arun Kumar, S/o. Srinivas.
3. M. Hari @ Harish Kumar, S/o. Srinivas.

Petitioners/Accused NOs.1 to 3

AND

State of Tetangana, through S.HO. Ramachandrapuram Police Station, rep. by
Public Prosecutor, High Court at Hyderabad.

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 direct the S.H.O. Ramachandrapuram Police Station, Sangareddy Medak District to enlarge the Petitioners/Accused Nos. 1 to 3 on bail in the event of their arrest in Crime No. 225 of 2021, dt. 22/03/2021 on the file of Ramachandrapuram Police Station, Sangareddy 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 PALLE SRIHARINATH, 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.7926 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.225 of 2021 on the file of Ramachandrapuram Police Station, Cyberabad District, registered for the offence punishable under Section 306 read with Section 34 IPC.

2. Heard learned counsel appearing for the petitioners/A1 to A3, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioners submits that the deceased, who is the husband of 1st petitioner/A1, addicted to alcohol and used to harass her physically and mentally and abused her in filthy language. He further submits that the petitioners are no way concerned with the alleged offences and they have been falsely implicated in the present case. 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.

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

5. A perusal of the case diary and the statements of witnesses, there are specific allegations against 2nd and 3rd petitioners/A2 and A3 regarding assault against the deceased soon before his death. Thus, looking into the nature of allegations leveled against the 2nd and 3rd petitioners/A2 and A3 and the gravity of the offence, I am not inclined to release them on anticipatory bail and accordingly, their prayer for anticipatory bail is rejected.

6. Insofar as 1st petitioner/A1 is concerned, she is having two minor school going children and there is no one to look after their welfare. Thus, looking into the nature of allegations leveled against the 1st petitioner/A1, without delving into the merits of the matter, I am inclined to grant anticipatory bail to her.

7. 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, Ramachandrapuram Police Station, Cyberabad 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.25,000/- (Rupees twenty five 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 on 3rd Saturday of every month between 10.00 AM and 5.00 PM., till completion of investigation and filing of final report.

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

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

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

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SD/- V.SUDHA
ASSISTANT REGISTRAR

Chm
SECTION OFFICER

To,

1. The VII Additional District and Sessions Judge, Medak at Sangareddy
2. The Special Judicial First Class Magistrate, Prohibition & Excise Offences Court at Sangareddy.
3. The Station House Officer, Police Station Ramachandrapuram, Sangareddy, Medak District.
4. One CC to SRI PALLE SRIHARINATH Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. (OUT)
6. One spare copy

mvj

HIGH COURT

GSD,J

DATED:05/11/2021



ORDER

CRLP.No.7926 of 2021

BAIL