

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.13621 OF 2015

ORDER:

This criminal petition under Section 438 of the Code of Criminal Procedure is filed by the petitioner/A.3 seeking grant of anticipatory bail in crime No.686 of 2015 on the file of the III Town Police Station, Visakhapatnam, registered for the offence under Section 306 IPC read with Section 34 IPC.

Heard and perused the records.

The case of the prosecution is that unable to bear the pressure to repay the amounts due to the petitioner and some others, the deceased committed suicide.

Learned counsel for the petitioner submits that even on reading the entire suicide note, there is no allegation that the petitioner has induced the deceased to commit suicide. He further submits that the petitioner has not committed any offence and he is a law abiding citizen, and he is ready and willing to cooperate with the investigating agency and as such, prays this Court to grant anticipatory bail to the petitioner herein.

This Court, on reading the suicide note, is of the view that the petitioner abused the deceased in connection with repayment of the amount, which is due to him and that it cannot be said that the petitioner induced the deceased to commit suicide. Further, there are no specific allegations against the petitioner herein. Hence, this Court is inclined to grant anticipatory bail to the petitioner herein.

The petitioner/A.3 is directed to surrender before the Magistrate concerned on or before 15.01.2016 and on such surrender, he shall be enlarged on bail on the same day on his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the like sum to the satisfaction of the said Magistrate. Further, the petitioner/A.3 is directed to appear before the Station House Officer concerned as and when required.

The Criminal Petition is accordingly allowed.

JUSTICE RAJA ELANGO

30.12.2015
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