

HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.9446 of 2015

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ORDER :

The State filed this petition under Section 439(2) and 482 of Cr.P.C., seeking to cancel the anticipatory bail granted on 31-08-2015 to Respondent Nos.1 to 3 herein in CrI.M.P.No.1246 of 2015 (Crime No.310 of 2015) on the file of the Sessions Judge-cum-Mahila Court, Vijayawada.

The main contention of the learned Public Prosecutor is that while granting anticipatory bail, the learned Sessions Judge has not taken into consideration the Suicide Note produced by the investigation agency before the concerned court and also it is the case of the prosecution that the grant of bail in such grave offences will give wrong signal to the society. The contention of the learned Public Prosecutor is supported by Sri Nuthalapati Krishna Murthy, learned counsel for the Respondent No.4 – de facto-complainant and he has also submitted that the entire reading of the suicide note discloses an offence under Section 304-B I.P.C.

Sri B.S.N.Naidu, the learned counsel for Respondent

Nos.1 to 3 – accused Nos.1 to 3 submitted that the trial Judge has considered all the aspects and granted anticipatory bail on the ground that the grant of anticipatory bail will not cause any prejudice to the investigation agency.

Heard the learned Public Prosecutor, Sri B.S.N.Naidu, learned counsel for Respondent Nos.1 to 3 – accused Nos.1 to 3 and

Sri Nuthalapati Krishna Murthy, learned counsel for the Respondent

No.4 – de facto-complainant and perused the records.

This Court is not inclined to express any opinion regarding the contents of the suicide note, since it will cause prejudice to either parties. However, on perusal of the said Suicide Note and also the facts and circumstances of the case, this Court is of the view that the order passed by the Sessions Judge is not to be interfered with.

Accordingly, the Criminal Petition is dismissed.

JUSTICE RAJA ELANGO

21st December, 2015

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