

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

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CRL.P.NO.10416 OF 2016

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ORDER

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This petition is filed under Section 438 Cr.P.C. seeking release in the event of her arrest in connection with Crime/FIR.No.112/2016 of S.Kota Police Station, Vizianagaram, registered for the offence punishable under Section 174 IPC.

One Vasantha Mani is the informant. The allegations are that there were disputes between the husband of the informant and his mother and owing to the said disputes, on 26.4.2016 after noon there was a scuffle between them. The husband of the informant felt bad of the same, consumed pesticide and succumbed while being taken to the hospital. Hence, a crime came be registered under Section 174 IPC.

The learned counsel for the petitioner submitted that the petitioner is a practicing advocate and was the counsel for the mother of the deceased in an execution petition filed against the deceased. That crime is registered based on the death note of the deceased, in which nothing is attributed against the petitioner. He further pleads that in the event of alteration of section of law, there is likelihood of arrest of the petitioner, hence, seeks grant of anticipatory bail.

The learned Public Prosecutor on instructions submits that there is nothing incriminatory against the petitioner till date. He does not dispute the fact that the petitioner is the counsel for the mother of the deceased in an execution petition filed by her. He further submits that till today, the section of law has not been altered and the apprehension of petitioner is only imaginary.

Having regard to the facts and circumstances referred to above, in the event of altering the section of law, the petitioner shall surrender before the S.Kota Police Station, Vizianagaram in Crime/FIR.No.112/2016, within ten days there from, and on such appearance, the petitioner shall be released on bail on executing personal bond for a sum of Rs.10,000/- with two sureties of

like sum each to the satisfaction of Station House Officer, S.Kota Police Station, Vizianagaram District.

The criminal petition is accordingly disposed of.

Miscellaneous petitions pending if any, shall stand closed.

AVS

26—07—2016

Note: Issue C.C. in two days.