

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1731 OF 2017

1. Changdev s/o. Dadarao Tandale .. Applicants
Age. 35 years, Occ. Agri.,
R/o. Gavanthadi, Tq. Majalgaon.
Dist. Beed.
2. Govind s/o. Ramrao Choure
Age. 30 years, Occ. Agri.,
R/o. As above.
3. Pandurang s/o. Mahadeo Tandale
Age. 29 years, Occ. Agri.,
R/o. As above.
4. Sahebrao s/o. Dagduba Choure
Age. 60 years, Occ. Agri.,
R/o. As above.
5. Sudhakar s/o. Achyut Choure
Age. 36 years, Occ. Agri.,
R/o. As above.
6. Anuradha Babasaheb Choure
Age. 25 years, Occ. Household,
R/o. As above.

Versus

The State of Maharashtra .. Respondent
Through Police Inspector,
Police Station, Majalgaon (Rural),
Tal. Majalgaon, Dist. Beed.

Mr.N.T. Tribhuvan, Advocate for the applicants.
Mr.S.W. Munde, A.P.P. for respondent/State.

CORAM : T.V. NALAWADE, J.**DATED : 19.04.2017****P.C. :-**

1. This application is filed for anticipatory bail. Both the sides are heard. This Court perused the papers of investigation and particularly the so called suicide note of deceased Asaram.

2. The material collected shows that about 1 ½ month prior to the incident in question, there was some dispute between one Anuradha-applicant No.6 and Asaram. Asaram is uncle of the complainant. The sheeps and goats of Asaram had eaten some portion of fodder which was kept by Anuradha on the side of water-stream. On that occasion, there was quarrel between them and allegation is made that during the quarrel, present applicants had given threat to deceased Asaram. The allegation is made that on 15.02.2017, applicant No.6 given report against Anil – son of Asaram and due to that, a crime for the offence punishable under section 354 of the Indian Penal Code was registered and Anil was arrested. Subsequently he was released. It is his contention that due to the arrest of Anil and giving of report against Anil, the deceased was disturbed. He committed suicide by hanging himself on 20.02.2017 in the night time in Gayran. It is contended that one chit was found in the pocket of his

clothes and in the chit, names of applicants are mentioned. This Court has carefully gone through the chit. The names of the applicants and one more person – Sagu Tandale is also mentioned. It is mentioned in the note that Sagu Tandale had come to the deceased for demanding money. The deceased was feeling insulted due to present applicants and due to Sagu Tandale. But the note does not disclose that he was committing suicide due to this conduct of the present applicants.

3. From the material, it cannot be said that false report was given by Anuradha against son of the deceased. There may be some reason for committing suicide. The note does not show that he had specifically blamed applicants for the suicide. In view of the nature of the allegation, this Court holds that protection needs to be given to the applicants.

i. In the result, the application is allowed.

ii. The interim relief granted on 05.04.2017 in favour of the applicants is confirmed.

[T.V. NALAWADE, J.]