

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION NO.6478 OF 2017

ORDER:

Petitioners, who are A1 and A2 in Cr.No.183 of 2017 on the file of Station House Officer, Tadipatri Rural Police Station, Anantapur District, registered for the offence punishable under Section 306 r/w 34 IPC, filed this petition under Section 438 Cr.P.C. seeking anticipatory bail.

2. Learned counsel for the petitioner strenuously submitted that even if the allegations made in the complaint are *ex facie* taken to be true and correct, no *prima facie* case is made out against the petitioners for the offence punishable under Section 306 r/w 34 IPC. He further submitted that the petitioners were falsely implicated in this case due to civil disputes. **Per contra**, learned Additional Public Prosecutor representing the State submitted that the suicidal note *prima facie* reveals the role played by the petitioners in the commission of offence. He further submitted that the investigation is in progress; therefore, it is not a fit case to grant bail to the petitioners.

3. The case of the prosecution is that the petitioners subjected Padmini (hereinafter referred to as 'the deceased') to harassment, due to which, she committed suicide. Basing on the complaint lodged by the father of the deceased, police registered the above case.

4. The petitioners filed Crl.M.P.No.656 of 2017 on the file of the VI Additional Sessions Judge, Anantapur at Gooty, under Section 438 Cr.P.C. seeking anticipatory bail and the same was dismissed by order, dated 17.07.2017.

5. In order to appreciate the contention of the learned counsel for the petitioners, this Court carefully perused the C.D. file and the suicidal note of the deceased. A perusal of the suicidal note *prima facie* reveals the role played by the petitioners in the commission of offence. A perusal of the record reveals that the investigation is in progress. As rightly pointed out by the learned Additional Public Prosecutor, if the petitioners are released on bail, the possibility of tampering with the prosecution witnesses cannot be ruled out completely.

6. Taking into consideration the nature of the offence alleged to have been committed by the petitioners and the stage of investigation, I am of the considered view that it is not a fit case to grant bail to the petitioners at this stage.

7. Accordingly, the Criminal Petition is dismissed.

DATED: 29-08-2017.
Hsd

T.SUNIL CHOWDARY, J