

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION NO.5538 OF 2017

ORDER:

Petitioners, who are A1 to A4 in Cr.No.206 of 2013 on the file of Station House Officer, Chilakaluripet Town Police Station, Guntur District, registered for the offences punishable under Sections 306 and 309 IPC, filed this petition under Section 438 Cr.P.C. seeking anticipatory bail.

2. Learned counsel for the petitioners submitted that the petitioners were falsely implicated in this case. He further submitted that one Y.Srinivasa Rao (hereinafter referred to as 'the deceased') borrowed money from the petitioners and failed to pay the amount.

3. Learned Additional Public Prosecutor representing the State submitted that the petitioners filed the suit after the death of the deceased; therefore, it is not a fit case to grant bail to the petitioners.

4. The case of the prosecution is that on 01.06.2013, the petitioners confined the deceased in a lodge room and beat him with chappals. Due to harassment of the petitioners, the deceased committed suicide on 04.07.2013.

5. The petitioners filed CrI.M.P.No.2377 of 2016 on the file of the XIII Addl. Sessions Judge, Narasaraopet, under Section 438 Cr.P.C. seeking anticipatory bail and the same was dismissed on 19.12.2016 in view of suicidal note of the deceased.

6. A perusal of the record reveals that petitioner No.1 filed a suit for recovery of money against the family members of the deceased. A perusal of the suicidal note

prima facie reveals the role played by the petitioners in the commission of offence.

7. Taking into consideration the nature of the offences 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.

8. Accordingly, the Criminal Petition is dismissed.

T.SUNIL CHOWDARY, J

DATED: 18-09-2017.

Hsd

