

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.8444 of 2017

ORDER:

1 This criminal petition is filed, by the petitioners-accused Nos.3 and 4, under Section 438 Cr.P.C., seeking anticipatory bail in Crime No.306 of 2017 on the file of the Station House Officer, Shamirpet Police Station, Cyberabad, registered for the offences punishable under Section 306 of IPC.

2 The learned counsel for the petitioners 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.

3 *Per contra*, learned Additional Public Prosecutor representing the State submitted that the allegations made in the complaint ex facie constitute the offences alleged to have been committed by the petitioners.

4 The case of the prosecution is that the deceased by name Uppalayya made bad propaganda in the village against A.2 It is the further case of the prosecution that on 03.08.2017 at about 3.00 PM a panchayat was held in the village where the village elders directed the deceased to tender apology to A.2, in pursuance of which, the deceased tendered apology to A.2 in the presence of the village elders. In the meanwhile, A.2 slapped the deceased, A.1 abused in filthy language whereas A.3 kicked him.

5 A perusal of the record reveals that due to the acts of the petitioners and other accused, the deceased felt insulted and

poured kerosene on him and set ablaze. Immediately the deceased was shifted to hospital where he died.

6 The contention of the learned counsel for the petitioners is that the petitioners were falsely implicated in this case. In order to appreciate the contention of the learned counsel for the petitioners, this Court carefully perused the record as well as the counter filed by the prosecution. A perusal of the record prima facie reveals that the petitioners herein along with other accused insulted the deceased on 03.08.2017 in the village panchayat. Having unable to bear with the humiliation meted out by the petitioners and other accused, the deceased committed suicide. A perusal of the record prima facie reveals the role played by the petitioners in the commission of the offence.

7 Taking into consideration the gravity of the offence alleged as well as the stage of the investigation, this Court is of the considered view that this is not a fit case to grant anticipatory bail to the petitioners.

8 In the result, the petition is dismissed.

T.SUNIL CHOWDARY, J

Date: 21st September, 2017

Kvsn