

The Hon'ble Dr. Justice Shameem Akther

Criminal Petition No.10850 of 2017

Order:

This Criminal Petition, under Section 438 of Cr.P.C., is filed by the petitioner/accused Nos.1 to 8 seeking anticipatory bail in the event of their arrest in connection with Crime No.206 of 2017, on the file of Manthani Police Station, Peddapalli District, registered for the offences punishable under Sections 306, 341, 506 r/w 34 IPC.

Heard the learned Counsel for the petitioners, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

The learned Counsel for the petitioners would submit that a false case is foisted against the petitioners; there are no ingredients of Section 306 IPC; the matter was already settled before the Circle Inspector of Police; ultimately, prayed to allow the Criminal Petition.

The learned Additional Public Prosecutor opposed for grant of anticipatory bail to the petitioners

As per the material placed on record, there was a love affair between the petitioner/accused No.1 and Pettam

Rajinikanth (deceased), who was studying EEE third year; when the parents of the deceased tried to perform his marriage with another girl, the petitioners obstructed the same stating that there was a love affair; on 11-10-2017, the petitioners herein along with other accused arranged a tent in front of the house of the defacto-complainant, went on hunger strike and started obstructing the family members of the defacto complainant from entering the house; in the afternoon around 3.00 p.m., the petitioners stopped the deceased from entering into his house; they questioned him, why he did not marry petitioner No.1 and insulted him by stating that he had cheated petitioner No.1 and it is better to die rather than living without marrying petitioner No.1; finally, the petitioners threatened the deceased that they would eliminate him, if he does not marry petitioner No.1; and scolded him in filthy language. Later, on the same day, around 5.30 p.m., the deceased went to agricultural field and consumed pesticide. Immediately, he was shifted to Mahatma Gandhi Government Hospital, where he died on 13-10-2017.

There are specific allegations of preventing the deceased and his family members from entering into their

house, abusing, insulting and abetting the deceased to commit suicide. These allegations are grave in nature and there is tension prevailing in the village of the parties. The release of the petitioners under Section 438 Cr.P.C., at this stage, would hinder the investigation and there are chances of their winning over the witnesses. The matters requires investigation in accordance with the procedure established under law.

Hence, the Criminal Petition is dismissed.

Dated: 15-11-2017
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(Dr.Shameem Akther, J)

