

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11430 OF 2017

ORDER:

This petition is filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioner-A1 for the offence alleged under Section 306 r/w 34 IPC.

2. Heard learned counsel for the petitioner-A1, learned Additional Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioner-A1 would submit that the petitioner-A1 has not harassed Payyavula Narayana (hereinafter referred to 'as the deceased'). The petitioner-A1 is no way responsible for the death of the deceased in this case. A false report was lodged by the wife of the deceased. A2 was granted bail by the Sessions Court, vide order, dated 24.11.2017 in CrI.M.P.No.1445 of 2017 and ultimately, prayed to allow the petition.

4. Learned Additional Public Prosecutor opposed the grant of bail to the petitioner-A1.

5. The material placed on record reveals that the wife of the deceased lodged a report with the police on 16.09.2017 stating that her husband was working as casual labour in NTPC for the last three years. In the year 2017, the petitioner-A1 was appointed as a contractor. The petitioner-A1 did not provide employment to the deceased and several times demanded an amount of Rs.50,000/- along with the Supervisors (A2 and A3). The deceased was not given work in the NTPC. The deceased was given only one day work. The deceased could not

maintain his family. The deceased get vexed with the attitude of the petitioner-A1 both physically and mentally and ultimately committed suicide by hanging on 15.09.2017.

6. The allegations against the petitioner-A1 are grave and serious in nature. There is no material to show that there was other cause for the deceased to commit suicide. Considering the bail application of A2 by the Sessions Court cannot be a ground to allow this petition. The release of the petitioner-A1 would hinder investigation. There is possibility of winning over the witnesses. The petition is devoid of merit and is liable to be dismissed.

7. Accordingly, the Criminal Petition is dismissed.

DATED: 29-11-2017
Hsd

DR.SHAMEEM AKTHER, J

