

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.10788 OF 2017

ORDER:

Heard learned counsel for the petitioner/A.4 and learned Additional Public Prosecutor for the respondent State, and perused the record.

This petition is filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner/A.4 in Crime No.91 of 2017 of Proddatur III Town Police Station, Kadapa District, for the offences punishable under Sections 306 and 506 read with 34 IPC.

Learned counsel for the petitioner/A.4 would submit that the petitioner/A.4 did not execute any agreement of sale of property in favour of Adinarayana Reddy (deceased) along with other persons. The name of the petitioner/A.4 is also not mentioned in the suicidal note said to have been written by the deceased. There is no abetment on the part of the petitioner/A.4 to commit the offence. The entire report lodged with the police is false. The petitioner is ready to cooperate with the investigating officer. The petitioner has no knowledge with regard to the agreement in question and ultimately prayed to enlarge the petitioner/A.4 on bail.

Learned Additional Public Prosecutor opposed the grant of bail to the petitioner/A.4.

As per the record placed before this Court, A.1 to A.3 and the petitioner/A.4 executed an agreement of sale on 13.01.2011 in favour of the deceased to sell the land covered by Sy.No.462 situated near Ring Road and received an amount of Rs.35,12,500/-. Thereafter it has come to light that there was a

litigation in respect of the land. The deceased approached the executants and the father of the petitioner to refund the money with interest. Even after the lapse of six years, the money was not paid. The litigation was not settled and sale deed was also not registered in terms of the agreement dated 13.01.2011. So, having vexed with the attitude and loss caused to the deceased, he committed suicide. On the report lodged by his wife, this case is registered and is under investigation.

When there is a written agreement, it is too early to conclude that the petitioner/A.4 did not execute that agreement. The allegations against the petitioner/A.4 are grave. The deceased was made to part huge amount and hard earned money and ultimately it resulted in his death.

Under these circumstances, it is not a fit case to grant bail under Section 438 Cr.P.C.

In the result, the Criminal Petition is dismissed.

Dr. SHAMEEM AKTHER, J

14th NOVEMBER, 2017.
ssp