

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.12204 OF 2017

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner-A.1 in Crime No.787 of 2017 of Medipalli Police Station, Rachakonda, registered for the offence punishable under Section 306 I.P.C.

2. Heard the learned counsel for the petitioner-A.1 and the learned Additional Public Prosecutor appearing for the respondent-State, apart from perusing the material available on record.

3. The learned counsel for the petitioner-A.1 would submit that the petitioner-A.1 is innocent person and he is falsely implicated in this case; the petitioner-A.1 has nothing to do with the death of her husband; the petitioner-A.1 did not threaten the deceased-Srisailam or anybody; the allegation that the petitioner-A.1 had illegal intimacy with A.2 is absolutely false; and ultimately, prayed to grant bail to the petitioner-A.1 under Section 438 Cr.P.C.

4. Learned Additional Public Prosecutor opposed the grant of bail to the petitioner-A.1 under Section 438 Cr.P.C.

5. The material on record reveals that the father of the deceased lodged a report to the police on 14.10.2017 against the petitioner-A.1 and others. On that basis of said report, this case is registered for the offence under Section 306 I.P.C. and being investigated. In the course of investigation, it has come to light that the petitioner-A.1, who is wife of the deceased, developed illegal intimacy with A.2-Shekar. Whenever the deceased was on duty as car driver, A.2 used to visit the house of the deceased and fulfill his sexual desire with the wife of

deceased and the same was observed by the deceased. When the deceased questioned his wife-petitioner/A.1 and A.2, A.2 along with his friends threatened the deceased with dire consequences and also threatened him not to reveal the illegal intimacy. The deceased held a panchayat on 13.10.2017, wherein the petitioner-A.1 reprimanded her husband and threatened him, due to which he disgusted over his life and committed suicide on the early hours of 14.10.2017. There are specific allegations of threatening and deceiving the deceased by his own wife, the petitioner-A.1. No other reason has been found for commission of suicide. The allegations are serious in nature and require thorough investigation. It cannot be said that the petitioner-A.1 is innocent person and falsely implicated in this case. Therefore, the petition is devoid of merits and liable to be dismissed.

6. In the result, this Criminal Petition is dismissed.

Dr. SHAMEEM AKTHER, J

Date: 19-12-2017.

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