

HON' BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.5977 of 2018

ORDER:

The petitioners/ A1 to A4 filed this Criminal Petition under Section 438 Cr.P.C., seeking release in the event of their arrest in connection with Crime No.29 of 2018 of Maddikera Police Station, Kurnool District, registered for the offence punishable under Section 306 r/ w 34 I.P.C.

2. The above case was registered based on the report of the de facto complaint, who is no other than father of the deceased, dated 28.04.2018. The averments show that A1 is wife of the deceased and the other accused are parents and brother of A1. The accused were harassing the deceased to part with the property and demanding to give divorce and even beat him earlier, for which the deceased and their family members hoping for change in their attitude and for the good days. However, on 26.04.2018, all the four accused demanded the deceased to transfer the entire property of the deceased in the name of A1, his wife for which he did not agree and they abused him saying either part with property or to die and if he dies A1 will get entire property. It is the sum and substance from which the report given as deceased consumed poisonous substance and succumbed there from.

3. Once there is a *prima facie* accusation attracting the offence under Section 307 I.P.C. from one of the three limbs of Section 107 I.P.C. from the propensity of the crime, none of the petitioners are entitled to the concession of anticipatory bail

4. Accordingly, the Criminal Petition is dismissed. However, the petitioners are at liberty to surrender and move for regular bail to decide on own merits.

5. Consequently, miscellaneous petitions, if any shall stand closed.

Date: 06.07.2018
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JUSTICE Dr. B.SIVA SANKARA RAO

