

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.10985 OF 2018

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 to A.4, for grant of bail in Crime No.51 of 2018 of Jetprole Police Station, Wanaparthy District, registered for the offences punishable under Sections 306 and 427 read with 34 of I.P.C.

2. Heard the learned counsel for the petitioners/A.1 to A.4 and the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The learned counsel for the petitioners would submit that the ingredients of Section 306 IPC are not attracted. Due to land dispute, false report was lodged against the petitioners and ultimately, prayed to allow the petition.

4. The learned Additional Public Prosecutor opposed the grant of bail to the petitioners.

5. The material on record reveals that on 26.08.2018 at about 10:00 A.M., the petitioners/A.1 to A.4 went to the house of the *de facto* complainant and demolished the compound wall. There is a land dispute between the petitioners and the *de facto* complainant. Finally, due to the abuses made by the petitioners/A.1 to A.4 on 26.08.2018 in filthy language, the mother of the *de facto* complainant, viz., Chandramma, consumed poison and committed suicide. The death took place immediately after the abuses. The allegations made against the petitioners, who are none other than the real brothers of the deceased-Chandramma, are grave and specific. The release of the petitioner would

threaten the witnesses and hinder the investigation. Hence, it is not a fit case to allow the petition.

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

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

DR. SHAMEEM AKTHER, J

Date: 26.10.2018
ssp

