

HON'BLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.11735 of 2018

ORDER:

The petitioner is the sole accused in crime No.512 of 2017 of Piduguralla Town Police Station, Guntur District, registered for the offence punishable under Section 309 IPC outcome of the statement of the accused dated 14.10.2017 in registration of the crime.

The sum and substance of the accusation is that the petitioner is working as ASI, Piduguralla Police Station, for the last 4 years and on 13.10.2017, he attended the duty as usual and requested the CI to change his duty since he was working for the last 39 months as escort to MLA Sri Gurjarao, but CI rejected the same and instructed him to continue and he also requested to change his duty as his health condition was not well and not able to work and also requested for leave. On 14.10.2017, CI informed that there are allegations made by some persons on him in Andhra Jyothi newspaper, stating that he was collecting money in his name and threatened to take action on him on said allegation and also stated to implicate in false cases and the petitioner replied that he was not involved in any case and requested not to take any action, but CI went away into police quarters. Unable to bear the false allegations made by CI, he informed his higher authorities and went out and purchased pesticides and tried to drink the same in PS, but SI Rafi, Station Writer

Hanumantha Rao, Constable Yasin, took the bottle from him and thereafter he swallowed 20 tablets which were in his pocket and stated due to threatening of CI, he attempted suicide and immediately his wife and children came there and shifted him to nearby Vijaya Nursing Home and thereafter shifted in 108 Ambulance to Mahatma Gandhi Hospital, Narasapuram for better treatment and police from Narsaraopet PS came and enquired and he informed the same, hence to take action.

Even from the reading of the same for the Head Constable of the Narasaraopet II Town PS to register the crime if at all the crime to be registered is also against the Inspector of police for driving him to make the so called attempt from reading of the allegations as a whole.

Having regard to the above and that too, so far as the taking of pesticides and trying to take the drink concerned, it is only preparatory stage. So far as swallowing of tablets kept in his pocket, there is nothing to show those are poisonous substance to do away his life even to attract the offence under Section 309 by consumption of those tablets itself in the absence of other details.

Accordingly and in the result, this Criminal Petition is allowed by quashing the proceedings against the accused in crime No.512 of 2017 of Piduguralla Town Police Station, Guntur District, and the bail bonds of the accused if any shall stand cancelled.

Miscellaneous petitions, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 22.11.2018
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