

THE HON'BLE JUSTICE G.SRI DEVI

Criminal Petition No.2998 of 2019

ORDER:

This Criminal Petition under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.3 seeking grant of bail in crime No.309 of 2018 of Palvancha Town Police Station, Bhadrachalam District, registered for the offence punishable under Sections 302, 304 read with 120 (b) IPC and Sec.3 (2) (v) of SCs & STs (POA) Act, 1989.

Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

Case of the prosecution is that A.1 to A.3 criminally conspired and hatched a plan to do away with the life of the deceased in order to claim his insurance amount, entrusted the task to A.4 and A.5 who executed the plan of A.1 to A.3 and made the deceased drunk fully and threw him in KTPS canal near Karakavagu with an intention to screen the evidence due to which the deceased died.

It has been submitted on behalf of the petitioner that he is an innocent person and no way connected with the alleged offence. Petitioner is implicated in the case basing on the confessional statement of co-accused that too six months after the death of the deceased. Petitioner is in jail since 17.04.2019 and most part of the investigation is also completed. Hence, the petitioner may be granted bail.

Per contra, learned Additional Public Prosecutor opposed the bail application contending that the petitioner also conspired with A.1 and A.2 in hatching the plan to do away with the life of the deceased. Since serious allegations are made against the present petitioner also, he is not entitled for the concession of bail.

From the material on record, it is seen that A.1 to A.3 with an intention to earn money easily conspired and hatched a plan to pick some old aged persons, get them insured and after causing their death, to get the insurance amount. In pursuance to their plan, they chose the deceased and got insured him in 17 different companies, took the signatures of the deceased on some promissory notes and bond papers. Later, A.1 to A.3 approached A.4 and A.5, who executed the plan of A.1 to A.3, and killed the deceased.

Considering the above facts, gravity of offence and since the petitioner is also actively involved in the commission of offence, I am not inclined to accept the prayer of the petitioner for grant of bail. Therefore, the Criminal Petition is dismissed.

JUSTICE G.SRI DEVI

10th July, 2019
sur