

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.2983 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C'), is filed by the petitioner/A.2 for grant of anticipatory bail in the event of his arrest in Crime No.100 of 2016 of Medak Rural Police Station, Medak District, registered for the offence punishable under Section 302 I.P.C.

2. Heard learned counsel for the petitioner/A.2 and the learned Additional Public Prosecutor representing the respondent/State. Perused the record.

3. The case of the prosecution is that on 04.08.2016 at 20:00 hours, the complainant, who is a Village Revenue Officer (VRO) of Ausulapally Village, lodged a report before the police alleging that he received a phone call from the Village Servant that Smt Singari Sathavva W/o Laxmaiah, R/o Ausulapally Village, poured kerosene on her body and set her ablaze and on seeing the same, the neighbours came and extinguished the fire, called 108 ambulance and shifted her to the Government, Medak for treatment. It is further alleged that the complainant went to the hospital and observed that the victim received burn injuries and committing of suicide by her is not known. It is further stated that the victim is suffering from mental disorder since one year.

It is stated that since the burn injuries received by the victim are severe in nature, she was referred to Gandhi Hospital, Secunderabad, where her dying declaration was recorded and on 19.08.2016 she succumbed to injuries while undergoing

treatment. It is further stated that in the dying declaration, the deceased stated that the house owners Buddi Durgaiah (A.1) and Buddi Bhagya (A.2) forced her to vacate their room since last two months and when she requested them that she will vacate the room after completion of her new house, the same is refused and A.2 poured kerosene on her and A.1 set fire on her.

4. Learned counsel for the petitioner/A.2 would submit that all the allegations in the complaint are false; that the petitioner did not commit any offence as alleged and due to improper mental condition, the deceased herself poured kerosene and set fire; that the neighbours along with A.1 extinguished the fire and shifted the deceased to hospital; that the petitioner is nothing to do with committing of suicide by the deceased and hence, he prays to grant anticipatory bail to the petitioner.

5. Learned Additional Public Prosecutor opposed the grant of bail to the petitioner/A.2, but, conceded that A.1 has been arrested and released on bail on 17.04.2019 in CrI.M.P.No.299 of 2019.

6. Having regard to the nature of allegations levelled and the gravity of offence alleged against the petitioner/A.2, I am not inclined to release the petitioner/A.2 on anticipatory bail. However, if the petitioner/A.2 surrenders before the Court concerned within ten (10) days from today and moves an application for grant of bail, the same shall be decided by the Court concerned, on merits and in accordance with law, on the same day.

7. With the above direction, the Criminal Petition is disposed of.

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

JUSTICE G SRI DEVI

JUNE 18, 2019
YVL



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Date:18.06.2019

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