

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4383 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners - accused for grant of anticipatory bail in the event of their arrest in connection with Crime No.321 of 2019 dated 13.06.2019 of Chandanagar Police Station, Cyberabad Commissionerate, registered for the offence punishable under Section 306 read with 34 of the Indian Penal Code, 1860.

2. Heard Sri N. Mruthunjaya Sastry learned counsel for the petitioners - accused, and the learned Additional Public Prosecutor representing the respondent - State. Perused the record.

3. The allegations made in the report by *de facto* complainant, who is daughter of deceased, are that her father was doing hotel business in the name and style 'Amader Ranna Ghor' from home delivery orders; that since few days partner of her father, Mr. Srinivas, threatening him to give entire business or else to give Rs.4,50,000/-, and thereby making hurdles to her father and harassing; that out of such harassment, her father sustained mental pressure and was humiliated and while so on 12.06.2019 at about 21:00 hours, her father fell down in the hotel and was admitted in Citizen Hospital and while undergoing treatment, on the next day, doctors declared him

dead; and that the death caused was only due to harassment and, therefore, requested the police to take action against the petitioners.

4. The learned counsel for the petitioners - accused would submit that the petitioners have not committed any offence, much less the aforesaid offence; that they are innocent and no way connected with the offence alleged against them and that there are no specific allegations made against any of the petitioners and that they were falsely implicated in the aforesaid crime only to wreck vengeance and to settle scores without factual basis; that there was no role of petitioners in the business of deceased and on the other hand petitioner Nos.1 and 2 helped him to come out of financial crises; that the deceased committed suicide which is unconcerned with them. It is further submitted that the petitioners hail from respectable families having good reputation and they are good citizens having permanent abode. It is further submitted that petitioner No.3 is a daily wage earner and in the event of his arrest, his family will suffer untold humiliation and hardship and also danger of losing his employment; that the petitioners are ready to furnish sufficient sureties and would abide by any of the conditions that would impose in the event of granting bail and that they undertake to cooperate with investigation and hence prays to grant bail to the petitioners.

5. Learned Assistant Public Prosecutor while vehemently opposing anticipatory bail, submitted the suicide note left by the

deceased wherein specific allegations were made against the petitioners and, therefore, they are not entitled for bail

6. As seen from the contents of FIR and the suicide note left by the deceased, there are specific allegations against the petitioners that they forced the deceased to hand over his hotel business or to give money, due to such harassment, the deceased consumed antiseptic pesticide and committed suicide. As the deceased has specifically stated that if the business is handed over to the petitioners how he would maintain his family.

7. Looking into the nature of allegations made against the petitioners and keeping in view the suicide note left by the deceased, this Court is not inclined to grant bail to the petitioners at this stage. Accordingly, the Criminal Petition is dismissed.

Miscellaneous Petitions, if any, pending in the petition shall stand closed.

August 13, 2019
Mgr

JUSTICE G SRI DEVI