

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.7738 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/A2, seeking to grant anticipatory bail in Cr.No.23 of 2019 on the file of Saidabad Police Station, Hyderabad District, registered for the offence under Section 306 IPC.

2. Heard learned counsel for the petitioner/A2, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The case of the prosecution is that the father of de-facto complainant, by name B. Madhusudhan Rao, aged 67 years, gave a sum of Rs.50 lakhs to A1 to A3 for providing rice pulling objects from last one year, and after few days, when his father asked about those projects or money, they did not respond properly and they harassed his father mentally, thereby cheated his father. It is further stated that as the father of the de-facto complainant took money from known persons for interest, he went into depression and committed suicide by hanging to ceiling fan in his bed room on 01.02.2019 and in his suicide letter, he mentioned that A1 to A3 were responsible for his death.

4. Learned counsel for the petitioner/A2 submits that the petitioner is innocent of the alleged offence and there is no *prima facie* case against him as there is no specific allegation against him.

He further submits that the petitioner never abetted or instigated the deceased to commit suicide and that no ingredients of abetment are attracted against him in connection with the alleged crime. He further submits that the petitioner is ready to cooperate with the investigating agency and is willing to furnish suitable security and he shall abide by any condition imposed by this Court.

5. As seen from the remand report, there are specific allegations against the petitioner/A2. It is stated therein that A1 to A3 hatched a plan to gain easy money and trapped the deceased, who was interested to purchase rice pulling articles, and accordingly, they lured the deceased stating that they would provide rice pulling objects i.e., coin having unique quality of attracting rice grains, and those objects are worth crores of rupees in international market, and on believing their words, the deceased contributed an amount of Rs.50 lakhs as fees in the business. After collecting the said amount, the accused are accustomed to a luxurious life as rich agents. However, the accused neither provided rice pulling objects nor returned the money to the deceased and thereby cheated him. Due to their unbearable torture and cheating, the deceased committed suicide. It is also specifically stated in the remand report that some more evidence has to be collected in this case. Thus, in view of the nature of allegations leveled against the petitioner and his involvement in the crime and other facts and circumstances, I am not inclined to grant anticipatory bail to him and his prayer for anticipatory bail is refused.

6. Accordingly, the Criminal Petition is dismissed.

7. Miscellaneous applications, if any pending in this criminal petition, shall stand dismissed.

G. SRI DEVI, J

6th December, 2019

sj

