

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.7951 of 2019

ORDER :

Petitioner, who is the A1 in Cr.No.92 of 2019 on the file of the S.H.O. Beerpur Police Station, Jagtial District, registered for the offence punishable under Section 306 r/w 511 IPC, filed this petition under Section 438 Cr.P.C. seeking anticipatory bail.

2. Heard learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent State.

3. The case of the prosecution is that A1 to A12, who acted as elders and conveyed a panchayat about 15 days back with regard illicit relationship between the son of the complainant and one Vanaja w/o Gopal in Mumbai and in the said panchayat, they decided to pay Rs.4,00,000/- to Vanaja and threatened to foist a false case against the family members of the complainant. On 11.11.2019, due to unbearable harassment of A1 to A12, her husband (Shakapuram Lachanna) committed suicide. Basing on the complaint, police registered the above case.

4. Learned counsel for the petitioner submits that the petitioner is an innocent person and he never acted as an elder of the alleged panchayat in imposing fine of Rs.4,00,000/- to the family members of the deceased. He further submits that the allegations made in the FIR or

complaint are general as there is no overt act to prove the offence and the petitioner is falsely implicated in the case by the de facto complainant only to extract amount from the petitioner. He further submits that on the face value of FIR/complaint, there are no essential elements to constitute the offence under Section 306 PC and police are making hectic efforts to apprehend the petitioner without any iota of evidence. He further submits that the petitioner has got fixed abode and he is ready to furnish sufficient sureties in the event of his release and hence, he prays to grant anticipatory bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor representing the State vehemently opposed the bail application.

6. As seen from the contents of FIR, there are specific allegations against the petitioner that he along with other accused conveyed a panchayat between L.W.1 and Vanaja, in which they have decided to impose fine of Rs.4,00,000/- to be paid by L.W.1 to Vanaja. L.W.1 and her husband, who is deceased refused for the said settlement. Under fear that they may be implicated in the case, they were forced to pay an amount of Rs.4,00,000/-. Due to unbearable torture and abetment of the present petitioner and other accused, the deceased have gone under depression and vexed with his life, committed

suicide. Therefore, there are specific allegations that the present petitioner has abetted the deceased to pay Rs.4,00,000/-. As the deceased could not bear the pressure made by the petitioner, he has committed suicide.

7. Thus, looking into the nature of allegations leveled against the petitioner and the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions, if any pending shall stand closed.

DATED: 16.12.2019.

Hsd

JUSTICE G. SRI DEVI



