

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.8433 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.1 seeking to grant anticipatory bail in the event of his arrest in Crime No.92 of 2019 on the file of Beerpur Police Station, Jagtial District, registered for the offence punishable under Section 306 read with Section 511 IPC.

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

3. Learned counsel for the petitioner would submit that the petitioner is innocent of the offences levelled against him; that he never acted as an elder of the alleged Panchayat in imposing fine of Rs.4 lakhs to the family of the deceased; that the allegations made in the complaint are false; that there are no essential elements to constitute an offence under Section 306 read with Section 34 IPC; that the police are making hectic efforts to apprehend the petitioner; that if the petitioner is arrested, there is every chance that the Police may use third degree methods; and that the petitioner has a fixed place of abode; that he is ready to furnish sufficient sureties that may be imposed by this Court in the event of granting anticipatory bail to him.

4. Learned Additional Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioner.

5. As seen from the contents of the F.I.R., there are specific allegations against the petitioner that he held Panchayat along with other accused between L.W-1 and Vanaja, in which they have decided to impose fine of Rs.4 lakhs to be paid to Vanaja with whom the deceased was alleged to have illicit relationship; that the petitioner and other Panchayat members also threatened to foist a case against the family members of the deceased; and that unable to bear the torture and abetment of the petitioner and other accused, the deceased went into depression and vexed with his life, he committed suicide.

6. Thus, having regard to the gravity of the offence alleged against the petitioner and the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner.

7. The Criminal Petition is accordingly dismissed. However, if the petitioner surrenders before the Court concerned within three weeks from today and files an application for grant of bail, the same shall be considered in accordance with law, after notice to the Public Prosecutor concerned, and disposed of expeditiously.

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

JUSTICE G.SRI DEVI

31st December, 2019
dr