

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.13851 OF 2018

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.2, for grant of bail in Crime No.128 of 2017 of Medipalli Police Station, Jagtial District, registered for the offence punishable under Section 306 read with 34 of IPC.

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

3. Learned counsel for the petitioner/A.2 would contend that the petitioner/A.2 has nothing to do with the death of Aduvala Rajam (hereinafter referred to as 'deceased') in this case. He has no illegal intimacy with A.1. Further, his name is not mentioned in the report lodged with the police on 22.11.2017. At no point of time, the petitioner abused or indulged in any act that led to the commission of suicide by the deceased and ultimately, prayed to allow the petition.

4. Learned Additional Public Prosecutor representing the respondent/State opposed the grant of bail to the petitioner/A.2 and ultimately, prayed to dismiss the petition.

5. As per the material placed on record, on 20.11.2017 afternoon, the petitioner along with A.1, who is the wife of the deceased, alleged to have stated that the deceased was not in a position to maintain his wife and also made some utterance that there was no use of his living. There are specific allegations against the petitioner that he developed illegal intimacy with A.1. There are also other allegations,

which drove the deceased to commit suicide by hanging to a banyan tree in his village on 21.11.2017 morning hours. The allegations are grave and specific. The petitioner/A.2 indulged in commission of offence under Section 306 read with 34 of IPC. So, it cannot be said that the petitioner has no connection with the death of the deceased. Under these circumstances, it is not a fit case to allow the petition.

6. In the result, the Criminal Petition is dismissed.

DR. SHAMEEM AKTHER, J

Date: 03.01.2019
ssp

