

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.258 of 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/A2, seeking to grant anticipatory bail to him in Cr.No.103 of 2019 on the file of Chunchupalli Police Station, Kothagudem District, registered for the offence under Section 306 read with Section 34 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 husband of the de-facto complainant has committed suicide by hanging himself due to the harassment made by A1 to pay his debt amount of Rs.7,10,000/- at the instigation of A2 and A3. All the accused pressurized her husband to pay the amount and also abused him in filthy language.

4. Learned counsel for the petitioner/A2 submits that the petitioner has participated as mediator on behalf of A1, who is his friend, on 10.12.2019, and the deceased promised to pay the amount and then, the petitioner left away from the place and he is no way connected with the alleged crime. He further submits that as per the allegations in the complaint, there are no specific overt acts against the petitioner and the petitioner was implicated in the crime falsely. He further submits that the petitioner hails from a reputed family and he shall abide by any condition imposed by this Court.

5. Learned Additional Public Prosecutor opposed the relief sought in the petition.

6. As seen from the contents of the FIR, the petitioner/A2 along with A3 went to the shop of the deceased, where all the accused pressurized the deceased to pay the amount and abused him in filthy language stating that unless he would pay the amount, he will not have any right in the shop, due to which, the deceased went into depression and committed suicide. Thus, in view of the nature of allegations leveled against the petitioner/A2, I am not inclined to grant anticipatory bail to him and his prayer for anticipatory bail is refused. However, if the petitioner/A2 surrenders before the trial Court within 15 days from today and files an application for bail, the trial Court shall consider the same in accordance with law after giving due notice to the Public Prosecutor.

7. With the above directions, the Criminal Petition is dismissed.

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

27th January, 2020
sj

G. SRI DEVI, J