

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.793 of 2020

ORDER :

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioner/accused, seeking anticipatory bail in Crime No.294 of 2019 on the file of the S.H.O., Medak Town Police Station, Medak District, registered for the offence punishable under Section 306 IPC.

2. Heard learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing for respondent-State.

3. Learned counsel for the petitioner submits that the petitioner is no way concerned with the alleged offence and he was falsely implicated in this case and there is no iota of truth in the allegations mentioned in the report and it is invented only for the purpose of implicating the petitioner in the case. He further submits that the husband of the de facto complainant was having several enemies and habituated to bad habits and taking advantage of her deceased husband, she got filed the false complaint. He further submits that the present complaint is filed to extract money from the petitioner and to defame him in the society. The petitioner is a respectable citizen and ready to abide by the conditions imposed by this Court if he is released on bail. He further submits that the petitioner is

ready to co-operate with the investigation and furnish suitable security to the satisfaction of the Court.

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

5. As seen from the contents of the F.I.R., it is clear that the marriage of the de facto complainant with the deceased-Durga Reddy was performed in the year 2006 and they were blessed with two children and the deceased is eking out his livelihood by running an auto. On 26.12.2019, the complainant withdrawn Rs.15,000/- from ATM and also gave another sum of Rs.5,000/- to the deceased. On 27.12.2019 at about 5.30 A.M., the deceased returned home. When she asked his whereabouts last night, he said that he played ludo game with the accused and also with two others, who forced him to play the game and in the ludo game, he lost Rs.20,000/-. The deceased also stated that he lost his auto bearing No.TS 35 T 5044 in the ludo game. When the deceased asked the petitioner and two others to give back his auto, they refused and stated that even if he dies, they will not return the auto. Thereafter, the deceased while he was in sleep got vomiting and thereafter, immediately the de facto complainant shifted the deceased to Govt. Hospital, Medak in the auto,

where the duty doctor checked the deceased and confirmed that the deceased died.

6. Thus, looking into the nature of allegations made against the petitioner and also keeping in view the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the Criminal Petition is dismissed. However, if the petitioner-accused surrenders before the concerned Court within 15 days from today and files an application after giving due notice to the Public Prosecutor, the same may be considered in accordance with law. Miscellaneous petitions, if any pending, shall stand closed.

DATED: 18.02.2020.
Hsd

JUSTICE G. SRI DEVI

