

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO. 1107 of 2020

ORDER :

The petitioners, who are accused Nos.1 to 3, filed the present application under Section 438 Cr.P.C. seeking release in the event of their arrest in connection with Crime No.79 of 2019 of Chinna Gudur Police Station, Mahabubabad District, registered for the offences punishable under Sections 306 read with 34 of IPC.

In the First Information Report, it is *inter alia* stated that on 06.12.2019 at about 1.30 p.m., while the deceased Bantu Venkatamallu, was purchasing pesticides, all the petitioners/ accused have insulted him by abusing that “why you are living, already you went to Jail and again you have to go to jail” and on previous occasion also accused No.3 insulted the deceased keeping previous grudges with regard to land dispute, due to which the deceased felt insult and committed suicide by hanging in the house and died.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor.

It has been submitted by the learned counsel for the petitioners that the petitioners have been falsely implicated in the above case with an intention to blackmail them and only to harass the petitioners. It is also submitted that there are civil disputes between the family of the petitioners and the *de facto complainant*. He further submits that there is counter case in Crime No.49 of 2019 of Chinna Gudur Police Station for the offences punishable under

Sections 143, 147, 148 and 324 r/w 149 IPC and in order to over come that case, the present complaint has been foisted against the petitioners with ill motive.

Learned Additional Public Prosecutor opposed to grant anticipatory bail to the petitioners.

As seen from the contents of the F.I.R., there are specific allegations against the petitioners that they have insulted and humiliated the deceased that he has already gone to jail and he has further go to jail and also asked him as to why he is living and why he would not die. Feeling insult by the same, the deceased has committed suicide.

Looking into the nature of allegations leveled against the petitioners and having regard to the facts and circumstances of the case, I am not inclined to release the petitioners on anticipatory bail and prayer for anticipatory bail is rejected.

Accordingly, the Criminal Petition is dismissed. However, if the petitioners surrender before the competent Court within a period of ten days from today and applies for regular bail, the same shall be considered by the said Court, in accordance with law.

JUSTICE G. SRI DEVI

24.02.2020
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