

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1446 of 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.7 seeking to grant anticipatory bail in the event of his arrest in Crime No.198 of 2020 on the file of L.B.Nagar Law & Order Police Station, Rachakonda District, registered for the offence punishable under Section 306 IPC.

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

3. The brief facts of the case as per the complaint are that the de facto complainant married the deceased and was blessed with two sons before the deceased established Vaishnavi Hospital; that the building owner-accused No.1 harassed the deceased mentally to vacate the hospital and filed a case by using his henchmen accused No.2, 5, 6 and 7, due to which the deceased has been facing problem; and that on 04.02.2020, the deceased was found to have committed suicide by hanging to the ceiling fan with nylon thread and the same was informed to the de facto complainant; and that in the dairy found on the bed, the deceased has written that accused Nos.1 to 7 were responsible for his death. It is the further case that accused No.1 gave slab building to the husband of the de facto complainant, the deceased, and promised him that he will complete the building for which he had taken an amount of Rs.10 lakhs and completed the building using the said amount;

that accused No.7 went to Goa and lost his money and at that time the deceased gave money to him and saved him but accused No.7 harassed the deceased economically and mentally and it is written in the diary of the deceased as “NA USURU NEEKU THAGULU THUNDI”. Hence, the complaint.

4. Learned counsel for the petitioner submitted that the petitioner has nothing to do with the alleged offence; all the allegations levelled by the de facto complainant in the complaint are false and do not make out any offence against the petitioner; that the deceased was the Managing Director of the Hospital and without any medical background, he was running the hospital since four years; that the petitioner joined in the Hospital as General Physician 1 ½ years ago and because of his hard work, the hospital gained popularity; that there were certain disputes between the owner of the hospital premises and the deceased regarding rent issues; and that the petitioner has been falsely implicated at the behest of the de facto complainant without there being any iota of evidence against him. Learned counsel submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court in the event of his enlargement on anticipatory bail.

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

6. As seen from the contents of the F.I.R. and suicide note of the deceased, there are specific allegations against the petitioner. It is alleged that while the deceased was admitted in

the hospital due to sickness, the petitioner and accused No.1- owner of the hospital building locked the hospital and cut the power supply, drove the nurses out of the hospital during mid night and made negative publicity regarding the deceased. The deceased also alleged in his diary that the petitioner has mentally and financially cheated him and also harassed him.

7. Thus, looking into the nature of allegations levelled against the petitioner and the facts and circumstances of the case and the gravity of offence alleged against the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

8. The Criminal Petition is accordingly dismissed. However, the petitioner is directed to surrender before the Court concerned within ten days from the date of this order and move an application for bail, upon which, the Court below shall consider the same and pass appropriate orders in accordance with law, after giving due notice to the learned Public Prosecutor concerned.

03^d March, 2020
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JUSTICE G.SRI DEVI