

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.2231 of 2022

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A1 and A5 for grant of anticipatory bail in Crime No.70 of 2021 of Maddirala Police Station, Suryapet District, registered for the offences under Sections 498A, 304B, 201 read with 34 of IPC.

- 2.** Heard both sides. Perused the record.
- 3.** Learned counsel for the petitioners/A1 and A5 would submit that earlier, the father of the deceased lodged a report with the police on 17.08.2019, stating that her daughter (deceased) committed suicide and he has no suspicion on any person. Basing on the said report, Crime No.93 of 2019 of Maddirala Police Station, Suryapet District, has been registered under Section 174 of Cr.P.C. and the investigation is in progress. While so, after a lapse of one and half year, the mother of the deceased filed a private complaint under Section 200 of Cr.P.C. before the Court concerned for the same incident and the Court concerned referred the said complaint under Section 156(3) of Cr.P.C. to Police, Maddirala, basing upon which, Crime No.70 of 2021 has been

registered against the accused on 12.06.2021. The parents of the deceased stated that the deceased died due to acute stomach pain when her husband (A1) went to attend duty and the same was incorporated in the inquest report of the deceased.

4. As seen from the material available on record, there is lot of delay in registration of subject crime. It is also brought to the notice of this Court that investigation is going on in respect of the allegations made in the subject Crime. Having regard to the totality of the circumstances, this Court is inclined to grant pre-arrest bail to the petitioners/A1 and A5 on following conditions:

(i) The petitioners/A1 and A5 are directed to surrender before the Station House Officer, Maddirala Police Station, Suryapet District, within a period of 15 days from the date of this order.

(ii) On such surrender, the said Station House Officer shall release the petitioners/A1 and A5 on bail, on each of them executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to his satisfaction.

(iii) On such release, the petitioners/A1 and A5 shall report before the said Station House Officer, on every Second Saturday between 10:00 A.M. and 11:00 AM, till filing of the charge sheet.

(iv) The petitioners/A1 and A5 shall not, directly or indirectly, meddle with the investigation, intimidate or

induce the witnesses, tamper the evidence and they shall co-operate with the Investigating Officer in the investigation of the subject case.

(v) The petitioners/A1 and A5 shall also abide by the conditions stipulated in Section 438(2) Cr.P.C., and shall cooperate with the investigating officer in investigating the case.

5. The Criminal Petition is, accordingly, allowed.

Miscellaneous Petitions, if any, pending in this Criminal Petition, shall stand closed.

Dr. SHAMEEM AKTHER, J

21st March, 2022
Bvv