

HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO. 2136 OF 2022

ORDER:

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short “Cr.P.C.”) seeking pre-arrest bail to the petitioners/Accused in the event of their arrest in connection with Crime No.19 of 2022 of Gundala Police Station, Warangal District registered for the offence punishable under Section 306 of Indian Penal Code, 1860 (I.P.C.)

2. Heard the learned counsel for the petitioners, learned Assistant Public Prosecutor and perused the record.

3. According to the complaint, petitioner Nos. 1 to 4 are residents of Nanegudem, Gundala Mandal, Yadadri-Bhongiri District and petitioner Nos. 5 and 6 are residents of Chakripuram, Kushaiguda, Hyderabad and there are civil disputes for the last 25 years regarding land. The deceased by name Kappari Sudhakar Reddy had purchased the land and the petitioners are objecting the deceased in cultivating the same and also refused to give pathway. In the said

circumstances, there was a panchanyath held on 20.02.2022 regarding the dispute about the construction of house and the deceased questioned as to why stones were kept in the land, for which the deceased was beaten. Thereafter, the deceased felt insulted and consumed some pesticide around 05.00 PM on the same day. It is further alleged that for the reason of assault and pending disputes, the deceased consumed pesticide and died.

4. The learned counsel for the petitioners argued that apart from the solitary incident of beating, there is no other event, which compelled the deceased to take such an extreme step and further assault on the deceased would not amount to abetting suicide as required under Section 306 of I.P.C. Further petitioners have no claim in the disputed land.

5. The learned public prosecutor appearing for the State concedes that except the incident of beating, no other incident took place. Admitting that there was an assault by the petitioners, the same would not attract the offence punishable under Section 306 of I.P.C. which requires intentional aiding or abetting a person to commit suicide.

6. In the said circumstances, this Court is inclined to grant anticipatory bail to the petitioners herein.

7. The Criminal Petition is accordingly allowed subject to the following conditions:

i) The petitioners/accused are directed to surrender before the Station House Officer, Gundala Police Station, Warangal District, within a period of fifteen (15) days from today, and on such surrender, the said Station House Officer shall release the petitioners on bail on their executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties to the like sum each to his satisfaction.

ii) The petitioners shall abide by the other conditions stipulated in Section 438(2) Cr.P.C. and co-operate with the Investigating Officer in investigating the case.

Miscellaneous petitions pending, if any, shall stand disposed of.

K.SURENDER,J

Date :24.03.2022

Ns/Nvl/Bds

HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO. 2136 OF 2022

Date :24.03.2022

Ns/Nv1/Bds