

THE HONOURABLE SMT JUSTICE G.ANUPAMA CHAKRAVARTHY**CRIMINAL PETITION No.4181 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioners/Accused Nos.1 to 4 in the event of their arrest in Crime No.100 of 2021 on the file of Mutharam Police Station, Ramagundam District for the offence punishable under Section 306 read with Section 34 of Indian Penal Code.

2. The brief facts of the prosecution case are that the father of the deceased lodged the present complaint against the petitioners/Accused Nos.1 to 4 that they abetted the deceased to commit suicide, for which the deceased consumed poison and died due to family disputes and debts which the deceased incurred from the public.

3. Learned counsel for the petitioners submitted that the petitioners are from the reputed family. Accused No.1 is the wife, Accused Nos.2 and 3 are the parents of Accused No.1 and Accused No.4 is the third party. He further submitted that due to vengeance, the *de facto* complainant, who is the father of the deceased, lodged this complaint against the petitioners. He further submitted that the petitioners are apprehending arrest in the

hands of the police and the contents of First Information Report itself do not disclose any allegations against the petitioners/Accused Nos.1 to 4. Therefore, he prayed to grant Anticipatory Bail to the petitioners.

4. Learned Assistant Public Prosecutor submitted that the investigation is still in progress. He admitted that there are no allegations against the petitioners/Accused Nos.1 to 4 in the FIR.

5. Heard the learned counsel for petitioners/Accused Nos.1 to 4 and the learned Assistant Public Prosecutor for respondent-State. Perused the record.

6. On perusal of the record, it discloses that a case in Crime No.100 of 2021 was registered by the police for the offence punishable under Section 306 read with Section 34 of IPC against petitioners/Accused Nos.1 to 4, though there were no allegations against them. Moreover, the FIR do not disclose that there was abetment made by the petitioners/Accused Nos.1 to 4 for which the deceased committed suicide. It is mentioned in the FIR that deceased owe debts from the public, due to which he died by consuming some unknown poison. Therefore, it is a fit case to grant Anticipatory Bail to the petitioners/Accused Nos.1 to 4.

7. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.1 to 4 shall be enlarged on bail in the event of their arrest subject to the following conditions:

i) The petitioners/Accused Nos.1 to 4 are directed to surrender before the Prl.Judicial Magistrate of First Class, Manthani, within ten (10) days from today, and on such surrender, the petitioners/Accused Nos.1 to 4 shall be enlarged on bail on their executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with two sureties to the like sum each to its satisfaction.

ii) The petitioners/Accused Nos.1 to 4 shall appear before the Station House Officer, Mutharam Police Station on every Saturday between 04.00 PM and 05.00 PM.

iii) The petitioners/Accused Nos.1 to 4 shall not leave the territorial jurisdiction of the Mutharam Police Station till filing of the charge sheet.

SMT JUSTICE G.ANUPAMA CHAKRAVARTHY

Date: 12.05.2022

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