

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.5707 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioners who is arrayed as Accused No.2 in the event of his arrest in Crime No.230 of 2022 on the file of Station House Officer, Amberpet Police Station, Hyderabad, registered for the offence punishable under Section 306 of Indian Penal Code.

2. Heard learned counsel for petitioner/Accused No.2 and learned Assistant Public Prosecutor for respondent-State. Perused the record.

3. The case of the prosecution is that the wife of the deceased filed a complaint on 06.06.2022 stating that she was married to the deceased in the year 2018. Since three days the deceased was taking the child who was at grandmother's house and dropping at her school. On 06.06.2022 at about 1.30 PM the *de facto* complainant called the deceased and he had not picked it up. Thereafter, her husband was found hanging to the fan with a saree in the bed room. A suicide note was found, in which the deceased

named two persons namely Sunny (Accused No.1) and this petitioner who is Accused No.2.

4. Learned counsel for the petitioner submits that the petitioner has nothing to do with the alleged suicide and even according to the suicide note there are no instances which would amount to abetting the deceased to commit suicide.

5. Learned Assistant Public Prosecutor has produced the suicide note in which there is a mention of this petitioner's name. However, it is also mentioned that there are money transactions amongst them. In the said circumstances, when it is not clear in the complaint and suicide note as to the specific role played by this petitioner is abetting the deceased to commit suicide, the petitioner can be granted the relief of anticipatory bail.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.2 shall be enlarged on bail in the event of his arrest subject to the following conditions:

i) The petitioner/Accused No.2 is directed to surrender before the Station House Officer, Amberpet Police Station, Hyderabad within one week from today, and on such surrender, he shall be

enlarged on bail on his executing personal bonds for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioner/Accused No.2 shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of eight (08) weeks or till filing of charge sheet whoever is earlier.

iii) The petitioner/Accused No.2 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

7. As a sequel thereto, miscellaneous applications, if any pending, shall stand closed.

Date: 11.07.2022
ns

K.SURENDER, J