

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 5958 of 2022

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioners/A1, 3 & 5 seeking bail in the event of their arrest in connection with Crime No.88/2022 on the file of Wyra Police Station, Khammam District, registered for the offences punishable under Section 306 of Indian Penal Code.

2. Heard learned counsel for the petitioners and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The allegation against these petitioners is that they were responsible for harassing the *defacto* complainant's husband who committed suicide unable to bear the harassment. According to the prosecution, there were civil disputes amongst the parties for which reason, the 1st accused along with other accused harassed the petitioner resulting in the suicide of *defacto* complainant's husband on 28.03.2022. However, on finding a suicide note, the *defacto* complainant filed the present complaint on 06.06.2022 stating that these petitioners and two other accused were responsible for her husband's committing suicide and the same is reflected in the suicide note.

4. Learned Counsel for the petitioners submits that there is delay of nearly three months in lodging the complaint and it cannot be said that if at all there was any reason to say that these petitioners were involved, the wife of the deceased would have already lodged the complaint when the death occurred.

5. On the other hand, learned counsel for the 2nd respondent/*defacto* complainant states that Accused No.1 was threatening her with dire consequences asking to withdraw the complaint. Accordingly, the *defacto* complainant filed complaint before the Bachupally Police.

6. As seen from the allegations in the complaint, there are disputes regarding property which ultimately lead to the death of the deceased. However, the *defacto* complainant was not aware of the harassment by the petitioners until the suicide note was found.

7. However, keeping in view that the 2nd and 3rd petitioners are women, the application of Anticipatory Bail can be considered.

8. Accordingly, petitioners 2 and 3/A3 and A5 shall be enlarged on bail in the event of their arrest, subject to the following conditions:

- 1) The petitioners 2 & 3/A3 and A5 are directed to surrender before the Station House Officer, Wyra, Khammam District, within a period of ten days from the date of this order. On such surrender, the said Station House Officer shall release the petitioners 2 and 3/A3 &

A5 on bail, on their executing personal bonds for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties in a like sum each to his satisfaction.

- 2) On such release, the petitioners 2 and 3/A3 & A5 shall appear before the police on every Monday between 10.00 a.m. to 1.00 p.m. for a period of eight weeks, for the purpose of investigation.
- 3) The petitioners 2 and 3/A3 & A5 shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

9. However, the Criminal Petition is dismissed as far as 1st petitioner/Accused No.1 is concerned.

Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date :22.07.2022
tk

K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 5958 of 2022
Dt.22.07.2022

tk