THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 5968 of 2022

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioners/A1 to A3 seeking bail in the event of their arrest in connection with Crime No.87/2022 on the file of Godavarikhani-II Town Police Station, Peddapalli District, registered for the offences punishable under Section 306 read with 34 of Indian Penal Code.

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

3. The case of the prosecution is that the 1st petitioner and the deceased are brothers and having disputes regarding land. The 2nd petitioner is wife of 1st petitioner and 3rd petitioner is father-in-law of the 1st petitioner. As seen from the complaint, the *defacto* complainant who is the wife of the deceased stated that continuously the petitioners were harassing the deceased and the 1st petitioner used to call the deceased regularly and frequently and abused him using indescribable words, for which reason, the deceased unable to bear the frequent harassment and committed suicide.

4. Learned Assistant Public Prosecutor produced suicide note in which the deceased narrated that he was frequently being harassed by his brother who is 1st petitioner and other petitioners.

5. In both the complaint and suicide note there are specific allegations made against the 1st petitioner, for which reason, this Court is not inclined to grant relief to the 1st petitioner. However, the 2nd and 3rd petitioners who are wife and father-in-law of the 1st petitioner can be granted bail.

6. Accordingly, the Criminal Petition is dismissed against 1st petitioner and allowed against 2nd and 3rd petitioners/A2 and A3 and they shall be enlarged on bail in the event of their arrest, subject to the following conditions:

1) The 2nd and 3rd petitioners/A2 & A3 are directed to surrender before the Station House Officer, Godavarikhani, II Town Police Station, within a period of 10 days from the date of this order. On such surrender, the said Station House Officer shall release the 2nd and 3rd petitioners/A2 and A3 on bail, on their executing personal bonds for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties in a like sum each to his satisfaction.

2) On such release, the 2nd and 3rd petitioners/A2 & A3 shall appear before the said Station House Officer as and when directed, for the purpose of investigation.

3) The 2nd and 3rd petitioners/A2 & A3 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.

7. Accordingly, the Criminal Petition is partly allowed.

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

K.SURENDER, J

Date :14.07.2022
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Dt.14.07.2022

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