

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 6319 of 2022

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/A5 seeking bail in the event of his arrest in connection with Crime No.93/2022 on the file of Garla Bayyaram Police Station, Mahabubabad District, registered for the offences punishable under Section 290, 324, 306 read with 34 of Indian Penal Code.

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

3. The case of the prosecution is that he is the Gram Panchayat Secretary of Gouraram village. The deceased is the sister of *defacto* complainant. When the deceased on earlier occasion approached the Gram Panchayat office for taking signatures on the Kalyan Laxmi documents, this petitioner misbehaved with the deceased. Thereafter, the deceased narrated the said incident of misbehavior of this petitioner to one Aravind (A1) who in turn threatened the petitioner herein. As the said Aravind threatened this petitioner, the petitioner told him that he would lodge a complaint and on that the mother of Aravind apologized this petitioner. Later the

petitioner had signed on the Kalyan Laxmi documents. Thereafter, the sister of *defacto* complaint made a phone call to the Sarpanch and the conversation between them was recorded by Aravind (A1) and sent the said message to others. For the said reason the Village Sarpanch elders held a panchayat. In the said Panchayat, when the deceased asked the Chinta Aravind in the evening around 4 p.m., the sister-in-law of the deceased one Saidamma scolded the deceased and A1 to A4 beat the deceased with sticks and abused her in filthy language. For the said reason, the deceased committed suicide on 26.06.2022.

4. Learned Counsel for the petitioner submits that the alleged misbehavior of this petitioner/A5 was during May, 2022 regarding signatures on the Kalyana Laxmi documents which are already signed. For the reason of Accused Nos.1 to 4 beating the deceased, she committed suicide, even according to the prosecution case.

In the said circumstances, the petitioner can be granted the relief of anticipatory bail.

5. Learned Assistant Public Prosecutor submits that the petitioner had misbehaved with the deceased for which reason the petitioner is not entitled for the bail.

6. As seen from the Remand Report, the incident of alleged misbehavior of this petitioner was during May, 2022 and thereafter the petitioner had signed on the Kalyana Laxmi documents. Subsequent to that 'panchayat' was conducted and the entire altercation was with regard to recording of phone call between the Sarpanch and the deceased. For the said reason of there being no involvement of this petitioner in the 'Panchayat' that took place where Accused Nos.1 to 4 had beaten the deceased, the petitioner can be enlarged on bail in the event of his arrest, subject to the following conditions:

- 1) The petitioner/A5 is directed to surrender before the Station House Officer, Bayyaram Police Station, Mahabubabad District, within a period of ten days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/A5 on bail, on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties in a like sum each to his satisfaction.
- 2) On such release, the petitioner/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 petitioner/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.

7. Accordingly, the Criminal Petition is allowed.

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

Date :25.07.2022
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K.SURENDER, J

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Dt.25.07.2022

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