

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 7192 of 2022

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/Accused seeking bail in the event of his arrest in connection with Crime No.161 of 2022 on the file of Tukaramgate Police Station, Hyderabad, registered for the offences punishable under Sections 306 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 against the petitioner is that he was running a private chit fund company and the deceased was employed with him. The deceased used to collect the amounts from the chit members. On a particular day when the deceased was in possession of Rs.6.5 lakhs, he met with an accident and the said amount was taken away by unknown persons. Thereafter the petitioner was asking the deceased to pay back the amount. He also went to the house of the deceased and searched the premises after which the deceased having written a letter to the Circle Inspector, consumed poison. He was taken to the hospital wherein he was declared dead.

4. Learned Counsel for the petitioner submits that the deceased had misappropriated the money which was collected from the public and

when the petitioner asked for money he had committed suicide. He also submits that asking for money which he had misappropriated would not come under abetment for committing suicide.

5. On the other hand learned Assistant Public Prosecutor submits that the deceased had written a letter stating that he met with an accident and lost money, however, the petitioner without listening to him, continuously asking to repay the money and also went to the house of the deceased where his wife was suffering and inspite of pleading, the petitioner and others have checked the premises.

6. As seen from the circumstances of the case, asking the deceased to repay the amount, does not amount to abetment of committing suicide. Though the conduct of this petitioner in continuously asking the deceased to pay back the amount may amount to exceeding his limits, however, in the background of there being money transactions, this petitioner can be granted the relief of Anticipatory Bail.

5. Accordingly, the Criminal Petition is allowed and the petitioner shall be enlarged on bail in the event of his arrest, subject to the following conditions:

- 1) The petitioner/Accused is directed to surrender before the Station House Officer, Tukaramgate Police Station, Hyderabad, within a period of ten days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/Accused on bail, on his executing personal bonds for a sum of Rs.1,00,000/- (Rupees One

Lakh only) with two sureties for a like sum each to his satisfaction.

- 2) On such release, the petitioner/Accused shall appear before the concerned Station House Officer between 10.00 AM to 1.00 P.M. every day for a period of thirty(30) days, for the purpose of investigation.
- 3) The petitioner/Accused 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.

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

Date : 18.08.2022
tk

K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 7192 of 2022
Dt.18.08.2022

tk