

THE HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.8726 of 2022

ORDER:

Heard Sri Narayan, Advocate, who argued on behalf of Ms. J. Sunitha, learned counsel on record for the petitioner, as well as learned Assistant Public Prosecutor, who is representing the respondent – State.

2. Seeking the Court to grant pre-arrest bail, the present application is moved by the petitioner/Accused in Crime No.801 of 2022 of Kusaiguda Police Station, Rachakonda District.

3. Learned counsel for the petitioner submits that the petitioner never abetted the deceased – C. Giridhara Varma to commit suicide and there is no material on record to show about the involvement of the petitioner and, therefore, he is entitled for grant of anticipatory bail.

4. On the other hand, learned Assistant Public Prosecutor submits that the deceased – C. Giridhara Varma wrote a suicide note in which he alleged that the petitioner is responsible for his death and basing on the said suicide note, the case is registered.

5. When the complaint is perused, this Court finds the following narration:

“With the help of neighbour, the door was broken, and by that he was already died. When searched in the room, one letter was kept on a table. It contained ‘To, the Chief Minister of Andhra Pradesh. I fully paid the amount of money taken from A. Venkat Reddy of Guntur, who is my business partner. Still he is demanding me to pay some more money, and thus harassing me mentally and troubling me. I am unable to bear the harassment’. I opine that because of such financial trouble and because of the pressure put by Venkat Reddy, he might have committed suicide by hanging.”

6. The case was registered two months back. The submission of learned counsel for the petitioner is that the petitioner will definitely cooperate with police during the course of investigation and, indeed, the petitioner never abetted the deceased to commit suicide.

7. Having considered the submission thus made and as the case was registered two months back and having regard to the stage of investigation, this Court is of the view that the request of the petitioner can be honoured.

8. In the result, the criminal petition is allowed with the following conditions:

(i) The petitioner/Accused is directed to surrender before the Court of Metropolitan Magistrate, Medchal-Malkajgiri District, within a period of ten (10) days from today and on such surrender, he shall be enlarged on bail on his executing a personal bond for Rs.25,000/- (Rupees twenty five thousand only) with two sureties for the like sum each to the satisfaction of the said Court. The sureties are directed to submit their two latest passport size photographs at the time of furnishing solvency. One such photograph is ordered to be pasted in the Surety Register against the name of the surety. The other photograph shall be kept in the case record concerned.

(ii) The petitioner/Accused shall report before the SHO, Kusaiguda Police Station on every Sunday between 10.30 a.m. and 1.30 p.m. till filing of charge sheet;

(iii) The petitioner/Accused should not involve in any unlawful activity.

(iv) The petitioner/Accused should afford all assistance for the proper investigation of the case.

(v)The petitioner/Accused should not cause the evidence of the offence disappear.

(vi)The petitioner/Accused should not tamper with the evidence in any manner.

(vii) The petitioner/Accused should not by way of inducement, threat or promise, dissuade any person who is acquainted with the facts of the case, from disclosing such facts to the Court or to the Police Officer.

(viii) The petitioner/Accused should ensure his presence whenever required by the Court or Police.

9. Any deviation of the above conditions would entitle the respondent to take appropriate steps for cancellation of the pre-arrest bail granted to the petitioner.

Dr. JUSTICE CHILLAKUR SUMALATHA

06.10.2022.
Msr

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