

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 9958 OF 2021

ORDER:

This Criminal Petition under Section 438 Cr.P.C. is filed by petitioner – Accused seeking bail in the event of his arrest in connection with Crime No. 543 of 2021 on the file of Shameerpet Police Station registered under Section 174 Cr.P.C.

2. The case of prosecution is that on 21.10.2021, at about 17.30 hours, Thumma Vedavathi lodged a report stating that her sister Thumma Jyothi (deceased) and petitioner were in relationship. It is alleged that on 21.10.2021, when complainant returned home, at about 15.20 hours, she noticed that deceased locked the door and when she forcefully opened the door, it was found that deceased was hanging to fan with chunni and committed suicide. It is further alleged that deceased disappointed for not getting married and complainant suspects petitioner for the death of deceased.

3. Learned counsel for petitioner Sri P. Daneshwara Rao submits that initially, FIR was registered under Section 174 Cr.P.C. basing on the complaint given by the sister of the deceased. He submits that as per the complaint, both petitioner and deceased were in love with each other and were in relationship from the last ten years. It is also alleged that when deceased requested petitioner to marry, on one pretext or the other, he postponed the same. It is stated that even in the complaint, sister of the deceased did not state that petitioner is responsible and it is only stated that petitioner might have been

responsible as both deceased and petitioner were in relationship from a long time. Learned counsel submits that petitioner is unconnected with any of these allegations and he has been falsely implicated. It is stated that petitioner has not abetted or instigated the deceased to commit suicide. Learned counsel submits that petitioner is ready to cooperate with the investigation, as such, his case may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor submits that investigation is pending and so far, five witnesses were examined. He submits that as petitioner and deceased were in relationship and as petitioner refused to marry her, she committed suicide.

5. Taking into consideration the fact that both petitioner and victim were in relationship from the last 10 years and even as per the complaint, it is not the case of complainant that petitioner instigated or abetted the deceased to commit suicide, this Court deems it appropriate to grant pre-arrest bail to him, on certain conditions.

6. Accordingly, this Criminal Petition is allowed. Petitioner – Accused shall surrender before the Station House Officer, Shameerpet Police Station in connection with Crime No. 543 of 2021 within one week from today and on such surrender and on his executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, he shall be released on bail. It is made clear that no further extension of time will be granted. Petitioner shall cooperate with the investigation and he

shall appear before the police once in a month i.e. on every second Saturday between 10.00 a.m. and 01.00 p.m. till investigation is completed.

18th January 2022

LALITHA KANNEGANTI, J

ksld

