

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.9722 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioners who are arrayed as Accused Nos.1 to 3 in the event of their arrest in Crime No.599 of 2022 on the file of Station House Officer, Sanathnagar Police Station, Cyberabad, registered for the offence punishable under Section 306 read with Section 34 of Indian Penal Code.

2. Heard learned counsel for petitioners/Accused Nos.1 to 3 and learned Additional Public Prosecutor for respondent-State. Perused the record.

3. Briefly the facts of the case are that the *de facto* complainant's brother-in-law namely Seelam Harinath is the husband of 2nd petitioner-Accused No.2. The marriage between the Accused No.2 and said Seelam Harinath was performed on 17.12.2020, thereafter due to differences between them, the 2nd petitioner-Accused No.2 filed a complaint before the concerned police and there was a settlement which they have arrived at in the police station. It is alleged in the complaint that these petitioners were

insisting that the settlement amount has to be paid and for the reason of such insistence, the husband of Accused No.2 filed a complaint with the Human Rights Commission, which is pending. However, for the reason of the insistence of these petitioners for settlement of the issues, the *de facto* complainant's husband (who is the brother-in-law of the 2nd petitioner-Accused No.2) committed suicide.

4. Even according to the complaint, there are differences between the 2nd petitioner-Accused No.2 and her husband, for which reason she lodged a complaint against her husband. In the said circumstances, these petitioners insisting for settling the matrimonial issues or insisting to settle any amount that they have arrived at by mutual consent in the police station, will not amount to abetting to commit suicide.

5. In view of the aforesaid reasons, these petitioners can be granted the relief of anticipatory bail.

6. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.1 to 3 shall be enlarged on bail in the event of their arrest subject to the following conditions:

- i) The petitioners/Accused Nos.1 to 3 are directed to surrender before the Station House Officer, Sanathnagar Police Station, Cyberabad within ten (10) days from today, and on such surrender, they shall be enlarged on bail on their executing personal bonds for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties for a like sum each, to its satisfaction.
- ii) On such release, the petitioners/Accused Nos.1 to 3 shall appear before the investigating authorities as and when required for the purpose of investigation.
- iii) The petitioners/Accused Nos.1 to 3 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, if any, pending shall stand closed.

K.SURENDER, J

Date: 11.11.2022
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