

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10067 of 2022

ORDER:

Heard Smt. Savithri Devi, learned counsel for the petitioners as well as learned Additional Public Prosecutor who representing the respondent.

2. Seeking pre-arrest bail, the petitioners who are arrayed as accused Nos.1 and 2 in Crime No.35 of 2022 of Komaravelli Police Station, Siddipet District, are before this Court.

3. Learned counsel for the petitioners contends that the petitioners have not committed any offences whatsoever, much less the offences punishable under Section 306 IPC. Learned counsel states that the petitioners never instigated the father of de facto complainant to commit suicide and therefore the case will not fall within the ambit of Section 306 IPC. Learned counsel also submits that after registration of the case, the de facto complainant himself gave a letter to Sub Inspector of Police, Komaravelli Police Station, stating that the petitioners are not responsible for the death of his father

and by mistake, he gave complaint to police against the petitioners.

4. On the other hand, the submission of learned Additional Public Prosecutor is that the case is still under investigation.

5. As per the material available on record, the allegation that is levelled against the petitioners is that they abused the father of the de facto complainant that only because of him, one Swamy became mad and unless he dies, there would not be any change in Swamy. Upon hearing those words, the father of the de facto complainant went to his well and consumed pesticide poison.

6. The submission of learned Additional Public Prosecutor is that six material witnesses were examined till now. Thus, it is clear that material part of investigation is completed.

7. Thus, having regard to the nature of the case and the stage of investigation, this Court is of the view that the request of the petitioners can be honoured however conditionally.

8. Resultantly, the Criminal Petition is allowed with the following conditions:

- (i) The petitioners/Accused No.1 and 2 are directed to surrender before the concerned Court within ten (10) days. On such surrender, they shall be enlarged on bail on each of them executing a personal bond for Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties for like-sum each to the satisfaction of the Court concerned. 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 petitioners/Accused No.1 and 2 shall report before the Station House Officer, Komaravelli Police Station, on every Monday between 10.30 AM and 12:00 PM till filing of final report
- (iii) The petitioners/Accused No.1 and 2 should not involve in any unlawful activity.
- (iv) The petitioners/Accused No.1 and 2 should afford all assistance for the proper investigation of the case.
- (v) The petitioners/Accused No.1 and 2 should not cause the evidence of the offence disappear.

- (vi) The petitioners/Accused No.1 and 2 should not tamper with the evidence in any manner.
- (vii) The petitioners/Accused No.1 and 2 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) In case the petitioners/Accused No.1 and 2 hold passport, they shall surrender the same if the same were not seized till now.
- (ix) The petitioners/Accused No.1 and 2 should ensure their presence whenever required by the Court or Police.
- (x) The petitioners/Accused No.3 to 6 shall not leave India without previous permission of the court concerned.
- (xi) The petitioners/Accused No.1 and 2 shall file separate affidavits before the Court concerned disclosing the following particulars:-
 - (1) Contact number
 - (2) Mail address
 - (3) Residential particulars.

In case, there is any change in the aforementioned details, the petitioners shall intimate the court concerned by giving fresh affidavits duly mentioning the change. They shall do so till filing of the final report.

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

As a sequel, miscellaneous petitions pending, if any, shall stand closed

Dr. JUSTICE CHILLAKUR SUMALATHA

Date: 22.11.2022

Sai/vns

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10067 of 2022

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sai