

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10604 OF 2022

ORDER:

Heard Sri T.Chandra Shekar, learned counsel for the petitioners, as well as learned Additional Public Prosecutor, who is representing the respondent-State.

2. Seeking pre-arrest bail the present criminal petition is filed by the petitioners, who are arrayed as Accused Nos.2 and 3, in Crime No.260 of 2022 of LMD Colony Police Station, Karimnagar.

3. Making his submission, learned counsel for the petitioners contends that the petitioners have not committed any offence whatsoever and indeed the petitioners never resided along with Accused No.1 and his wife i.e. the deceased-Lavanya. Learned counsel further submits that due to trivial issues, the deceased-Lavanya consumed poison and died and hence, anticipatory bail may be granted.

4. The submission of learned Additional Public Prosecutor is that Accused No.1 was arrested and remanded to judicial

custody and the case is under investigation. Learned Additional Public Prosecutor states that eleven (11) witnesses were examined till now and their statements were recorded.

5. As per the version of the prosecution, Accused No.1 is the husband of the deceased-Lavanya and the petitioners are her in-laws. On the date of incident, the dispute went on between the accused on one hand and the deceased Lavanya on the other hand and the accused provoked the deceased-Lavanya to commit suicide and therefore, she consumed poison and died.

6. The submission of learned counsel for the petitioners is that there is no involvement of petitioners whatsoever in the death of the deceased. As per the submission of learned Additional Public Prosecutor, material part of investigation is completed. Having considered the said submissions, this Court considers it desirable to honour the request of the petitioners, however, conditionally.

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

- (i) The petitioners/Accused Nos.2 and 3 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.50,000/- (Rupees Fifty Thousand Only) with two sureties for the 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) In case, the petitioners/Accused Nos.2 and 3 hold passports, they are directed to surrender the same.
- (iii) The petitioners/Accused Nos.2 and 3 should not involve in any unlawful activity.
- (iv) The petitioners/Accused Nos.2 and 3 should afford all assistance for proper investigation of the case.
- (v) The petitioners/Accused Nos.2 and 3 should not cause the evidence of the offences disappear.

(vi) The petitioners/Accused Nos.2 and 3 should not tamper with the evidence in any manner.

(vii) The petitioners/Accused Nos.2 and 3 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 petitioners/Accused Nos.2 and 3 should ensure their presence whenever required by the Court or Police.

(ix) The petitioners/Accused Nos.2 and 3 shall not leave India without previous permission of the Court concerned.

(x) The petitioners/Accused Nos.2 and 3 shall report before the Station House Officer, LMD Colony Police Station, Karimnagar District, on every Monday between 10.30 a.m. and 12.00 p.m., till filing of the final report.

(xi) The petitioners/Accused Nos.2 and 3 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 separate fresh affidavits duly mentioning the change. They shall continue to 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 bail granted.

8. As a sequel, miscellaneous applications pending, if any, shall stand closed.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date: 07.12.2022

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