

HON'BLE Dr.JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.11077 of 2022

ORDER:

1. Heard Sri N.Manohar, learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor who is representing the respondent.
2. Seeking pre-arrest bail, the present Criminal Petition is filed on behalf of the petitioner, who is arrayed as Accused in Crime No.169 of 2022 of Pulkal Police Station, Sangareddy District.
3. Making his submission, learned counsel for the petitioner states that the petitioner has not committed any offence, whatsoever, much less the offence punishable under Section 306 IPC. Learned counsel submits that the petitioner left India on 25.05.2022 and returned back on 07.09.2022 and therefore, the petitioner instigating the husband of the *de facto* complainant to commit suicide does not at all arise. Learned counsel also submits that due to civil disputes, a false case is foisted against the petitioner.

4. On the other hand, the submission of the learned Additional Public Prosecutor is that as the husband of the *de facto* complainant and his father failed to execute sale deed in favour of the petitioner/Accused, the petitioner/Accused instigated them to commit suicide and therefore, the husband of the *de facto* complainant committed suicide.

5. The contents of the complaint goes to show that the petitioner was demanding the husband of the *de facto* complainant and his father to execute sale deed in respect of 16 guntas of land and on 11.11.2022, the petitioner took the father-in-law of the *de facto* complainant on his bike and later, the husband of the *de facto* complainant went to the land and there, altercation of words went on between the petitioner, one Narayan Reddy, the husband of the *de facto* complainant and her father-in-law and at that time, the petitioner uttered the words “Midhi emi bathuku, chachipondi” and on the same night at about 9.00 PM, the *de facto* complainant found her husband hanging to the hook of the roof with a saree.

6. The submission of the learned Additional Public Prosecutor is that four (4) material witnesses were examined till now.

7. Having regard to the nature of the case and taking into consideration the fact that the material witnesses were examined, this Court is of the view that the request of the petitioner can be honoured, however, conditionally.

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

- (i) The petitioner/Accused is directed to surrender before the concerned Court within ten (10) days. On such surrender, he shall be enlarged on bail on his executing a personal bond for Rs.1,00,000/- (Rupees One Lakh 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 petitioner/Accused shall report before the Station House Officer, Pulkal Police Station, Sangareddy District, on every Monday and Thursday between 10.30 a.m. and 12:00 p.m. till filing of final report.
- (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) In case the petitioner/Accused holds a passport, he shall surrender the same.
- (ix) The petitioner/Accused should ensure his presence whenever required by the Court or Police.

- (x) The petitioner/Accused shall not leave India without previous permission of the Court concerned.
- (xi) The petitioner/Accused shall file an affidavit before the Court concerned disclosing the following particulars:-
- (1) Contact number
 - (2) Mail address
 - (3) Residential particulars.

In case, there is any change of the aforementioned details, the petitioner shall intimate the court concerned by giving a fresh affidavit duly mentioning the change. He 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 pre-arrest bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date:20.12.2022
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HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.11077 of 2022

Date:20.12.2022

ysk

CIVIL REVISION PETITION No.3578 of 2018

27.12.2021

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