

HON'BLE Dr.JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.2599 of 2023

ORDER:

1. Heard Sri A.Jagan, learned counsel for the petitioners as well as the learned Additional Public Prosecutor who is representing the Respondent-State.

2. Seeking pre-arrest bail, the present Criminal Petition is filed under Section 438 Cr.P.C. on behalf of the petitioners, who are arrayed as Accused Nos.1 to 5 in Crime No.208 of 2022 of Veenavanka Police Station, Karimnagar District.

3. The matrix of the case as could be perceived through the contents of the complaint is that the petitioners instigated the deceased- Shravan Kumar to commit suicide and due to their instigation, he committed suicide by consuming poison.

4. Stating that the petitioners are not responsible for the death of the deceased-Shravan Kumar, learned counsel for the petitioners submits that the 1st petitioner is the wife, the 2nd petitioner is the father-in-law and the 3rd petitioner is the mother-in-law of the deceased-Shravan Kumar. Learned counsel also submits that the 4th petitioner is the brother and the 5th petitioner is the maternal uncle of the 1st petitioner.

Learned counsel also contends that the deceased-Shravan Kumar was an unemployee and therefore, the 1st petitioner was doing work and was maintaining the family. Learned counsel also states that the 1st petitioner filed a Domestic Violence Case against the deceased-Shravan Kumar and his parents and the same is pending. Learned counsel also states that the petitioners are not responsible for the death of the deceased-Shravan Kumar and therefore, anticipatory bail may be granted.

5. The submission of the learned Additional Public Prosecutor, on the other hand, is that the dying declaration of the deceased-Shravan Kumar was recorded and in the said dying declaration, he stated that he could not live without seeing his son and there were disputes between him and his wife and therefore, he consumed poison. Learned Additional Public Prosecutor further submits that six witnesses were examined till now.

6. Gone through the contents of the material available on record, including the copy of the dying declaration.

7. Having considered the submissions made by both sides and perceiving the fact of completion of material part of investigation, this Court considers desirable to honour the request of the petitioners, however, conditionally.

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

- (i) The petitioners/Accused Nos.1 to 5 are directed to surrender before the concerned Court within ten (10) days. On such surrender, they shall be enlarged on bail on their executing a personal bond for Rs.50,000/- (Rupees Fifty Thousand only) each 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 Nos.1 to 5 shall report before the Station House Officer, Veenavanka Police Station, Karimnagar District, on every Sunday and Thursday between 10.30 A.M. and 12:00 P.M. till filing of final report.

- (iii) The petitioners/Accused Nos.1 to 5 should not involve in any unlawful activity.
- (iv) The petitioners/Accused Nos.1 to 5 should afford all assistance for the proper investigation of the case.
- (v) The petitioners/Accused Nos.1 to 5 should not cause the evidence of the offence disappear.
- (vi) The petitioners/Accused Nos.1 to 5 should not tamper with the evidence in any manner.
- (vii) The petitioners/Accused Nos.1 to 5 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 Nos.1 to 5 hold a passport, they shall surrender the same.
- (ix) The petitioners/Accused Nos.1 to 5 should ensure their presence whenever required by the Court or Police.
- (x) The petitioners/Accused Nos.1 to 5 shall not leave India without previous permission of the Court concerned.

(xi) The petitioners/Accused Nos.1 to 5 shall file 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 petitioners shall intimate the Court concerned by giving 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 pre-arrest bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date:21.03.2023
ysk

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.2599 of 2023

Date:21.03.2023

ysk

