

THE HONOURABLE SRI JUSTICE M.LAXMAN
CRIMINAL PETITION Nos.4661 and 4663 OF 2023

COMMON ORDER:

1. These petitions are filed seeking anticipatory bail under Section 438 of Criminal Procedure Code, 1973 (Cr.P.C). The petitioners herein are accused Nos.1 to 3 in Crime No.05 of 2023 of Huzurabad Police Station, Karimnagar District. The offences alleged against the petitioners are under Section 306 read with Section 34 of Indian Penal Code.

2. The sum and substance of case of the prosecution is that the accused are agnates of the deceased. Accused No.1 and mother of the deceased are sisters. The deceased was claiming his title over land to an extent of Ac.0-10 guntas and he intended to sell the said land, the same was resisted by the accused. In this regard, multiple times there were disputes between the accused and the deceased. It is also stated that the accused allegedly fought with the deceased three times prior to the incident. Further, they also threatened the deceased with dire consequences. On account of such acts of the accused, the deceased committed suicide.

3. Heard both sides.

4. A glance of the suicide note as well as the complaint lodged by the sister of the deceased (*de facto* complainant) shows that the last incident occurred three months prior to the suicide of the deceased. There was no incident immediately prior to the deceased committing suicide. Though, allegedly there are circumstances created by the accused to drive the deceased to commit suicide, there was sufficient time for the deceased to think, recede emotion created and come out of such alleged circumstances created by the accused. In the said circumstances, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.1 to 3.

5. Accordingly, these Criminal Petitions are allowed on the following terms and conditions:

(i) The petitioners/accused Nos.1 to 3 are enlarged on bail in the event of their arrest in connection with FIR No.05 of 2023 on the file of the Station House Officer, Huzurabad Police Station, Karimnagar District, on their executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties to the like sum each to the satisfaction of concerned Station House Officer.

(ii) The petitioners/accused Nos.1 to 3 shall appear before the Station House Officer, Huzurabad Police Station, Karimnagar District on every Sunday between 10.00 am and 05.00 pm, for a period of three months.

(iii) The petitioners/accused Nos.1 to 3 shall abide by the other conditions stipulated in Section 438 (2) Cr.P.C and co-operate with the Investigating Officer in investigating the case.

JUSTICE M. LAXMAN

Date: 06.06.2023
GVR