

THE HONOURABLE SRI JUSTICE M.LAXMAN

CRIMINAL PETITION NO.5414 OF 2023

ORDER :

1. This petition is filed seeking anticipatory bail under Section 438 of Criminal Procedure Code, 1973 (Cr.P.C). The petitioner is accused No.2 in Crime No.56 of 2023 of Utnoor Police Station, Adilabad District. The offence alleged against the petitioner is under Section 306 read with Section 511 of Indian Penal Code.

2. The sum and substance of case of the prosecution is that the deceased was initially employed in G.C.C, Indian Oil Corporation Limited Petrol Pump, Utnoor. The petitioner was junior assistant in the said petrol pump and he is not interested in continuation of the employment of the deceased in the petrol pump. The petitioner allegedly insisted the deceased to clean the toilets, which the deceased do not like since the deceased was an educated and the deceased was compelled to do that on account of his need of employment. Subsequently, his employment

was stopped and when he made a complaint to Joint Collector, Adilabad, he suggested to approach employment officer by name Kiran-A1. Accused No.1 insisted for payment of Rs.1,00,000/- for employment and the deceased paid the said amount to accused No.1 but he could not provide any employment. When this matter was brought to the Collector, the Collector has thrown him out from the premises. Therefore, he consumed poison in the Collectorate premises and thereby succumbed to poisoning.

3. Learned counsel for the petitioner contended that the petitioner is innocent of the allegation and immediate cause of suicide was payment of Rs.1,00,000/- to the employment officer-A1 and non providing of such employment but not the petitioner's alleged harassment.

4. Learned additional Public Prosecutor opposed the bail application.

5. As seen from the investigation, the main grievance of the petitioner was that he paid Rs.1,00,000/- to the employment officer for employment and he was cheated by the employment officer. When the incident was reported to Collector, he allegedly made him to neck out from the premises. Therefore, the deceased consumed poison in the Collectorate premises. Though there is harassment from the petitioner, such harassment is so long and it has no immediate impact on the alleged commission of the offence.

6. In the said circumstances, this Court is inclined to grant anticipatory bail to the petitioner-accused No.2.

7. Accordingly, the Criminal Petition is allowed on the following terms and conditions:

- (i) The petitioner/accused No.2 is enlarged on bail in the event of his arrest in connection with FIR No.56 of 2023 on the file of the Station House Officer, Utnoor Police Station, Adilabad District on his executing a personal bond for a sum of Rs.25,000/-

(Rupees Twenty Five Thousand only) with two sureties to the like sum each to the satisfaction of concerned Station House Officer.

- (ii) The petitioner/accused No.2 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

27.06.2023
pld/ns

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Date: 27.06.2023

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