

THE HONOURABLE SRI JUSTICE M.LAXMAN

CRIMINAL PETITION NO.5707 OF 2023

ORDER :

1. This petition is filed under Section 438 of Criminal Procedure Code, 1973 (Cr.P.C) seeking anticipatory bail to the petitioner, who is arrayed as accused No.1 in Crime No.128 of 2023 of Kothur Police Station, Cyberabad. The offence alleged against the petitioner is under Section 306 of the Indian Penal Code.

2. The sum and substance of case of the prosecution is that the deceased was the employee of accused No.2 company. The present petitioner was the HR Manager in the said company. The allegation is that the petitioner targeted the deceased and unbearable with such target, the deceased resigned from job on 05.05.2023 and he has committed suicide on 07.05.2023. The suicide note was recovered. As per the suicide note it is stated that he has resigned the job and committing suicide on account of the present petitioner targeting the deceased.

3. The contention of the learned counsel for the petitioner is that the deceased was having suicidal tendency. Previously when he was working in other company, he made attempt to commit suicide by consuming poison, however, he was saved. The deceased was joined in the company in the year 2021 and he was working in the production department and petitioner is not a direct incharge of production and his duties are HR in nature.

4. Learned Additional Public Prosecutor opposed the bail application.

5. As seen from the suicide note, there are no details as to how the deceased was targeted by this petitioner. Further, the resignation was done on 05.05.2023 and the suicide was committed on 07.05.2023. There is two days time gap. Even assuming that the petitioner has targeted the deceased on account of resignation, there was ample time for the deceased to retreat from the emotions created by the petitioner. There is a time gap for the alleged targeting and the commission of suicide. In the said facts and

circumstances, it is a fit case to grant bail to the petitioner - accused No.1.

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

- (i) The petitioner-accused No.1 is enlarged on bail in the event of his arrest in connection with FIR No.128 of 2023 on the file of the Station House Officer, Kothur Police Station, Cyberabad 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.1 shall appear before the Station House Officer, Kothur Police Station, Cyberabad on every Sunday between 10.00 am and 05.00 pm, for a period of two (02) months.
- (iii) The petitioner-accused No.1 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: 04.07.2023
pld/ns

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