

THE HONOURABLE SRI JUSTICE M.LAXMAN

CRIMINAL PETITION NO.5733 OF 2023

ORDER :

1. This petition is filed under Section 438 of Criminal Procedure Code, 1973 (Cr.P.C) seeking anticipatory bail to the petitioners, who are arrayed as accused Nos.4 to 6 in Crime No.31 of 2023 of Narayanapur Police Station, Rachakonda. The offences alleged against the petitioners are under Sections 306, 504 and 323 read with Section 34 of the Indian Penal Code.

2. The sum and substance of case of the prosecution is that the deceased is the wife of one Lingaswamy who is elder son of accused Nos.1 and 2. Accused No.3 is the younger brother of Lingaswamy. Accused No.3 allegedly took the videograph when Lingaswamy and the deceased were together. In this regard a complaint was also lodged by Lingaswamy. Thereafter, the relationship was not cordial. On 02.02.2023 at about 03.00 PM accused Nos.1 to 3 went to the house of deceased and abused in filthy language and also beat her. Feeling insult, the deceased consumed insecticide and died while undergoing treatment.

3. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent - State.

4. The immediate cause of incident was accused nos.1 to 3 manhandling the deceased and abusing in filthy language. There is no specific overt act against the present petitioners. They were not part with accused Nos.1 to 3, when they allegedly went to the house of the deceased and abused and beat her. In the said circumstances, it is a fit case to grant bail to the petitioners - accused Nos.4 to 6.

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

- (i) The petitioners-accused Nos.4 to 6 are enlarged on bail in the event of their arrest in connection with FIR No.31 of 2023 on the file of the Station House Officer, Narayanapur Police Station, Rachakonda on their executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties to the like sum each to the satisfaction of concerned Station House Officer.

- (ii) The petitioners-accused Nos.4 to 6 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: 05.07.2023
pld/ns

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