

THE HONOURABLE SRI JUSTICE M. LAXMAN

CRIMINAL PETITION No.5895 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 in Crime No.138 of 2023 of Chaitanyapuri Police Station, Rachakonda. 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 allegedly took Rs.1 Lakh loan from the present petitioner in the year 2020. The petitioner allegedly demanding the deceased to pay back Rs.6 Lakhs, on account of such demand, the deceased felt that it is the insult to his family, therefore, he has committed suicide by jumping from the train. The suicide note was also recovered by the police.

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

4. On perusal of the record, except the allegation of demand of Rs.6 Lakhs for Rs.1 Lakh, there is nothing on record to show that the mode of harassment meted out to the deceased, so that it has created impact on the mind of the deceased to commit suicide and in the suicide note there are no such details. Therefore, it is a fit case to grant bail to the petitioner - accused.

5. Accordingly, the Criminal Petition is allowed and the petitioner-accused shall be released on bail on the following terms and conditions:

- (i) The petitioner-accused is enlarged on bail in the event of his arrest in connection with FIR No.138 of 2023 on the file of the Station House Officer, Chaitanyapuri Police Station, Rachakonda 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 shall appear before the Station House Officer, Chaitanyapuri Police Station, Rachakonda on every Monday and Sunday between 10.00 am and 05.00 pm, for a period of two (02) months.

- (iii) The petitioner-accused 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: 10.07.2023
ns/pss

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