

THE HONOURABLE SRI JUSTICE M. LAXMAN

CRIMINAL PETITION No.5992 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.3 in Crime No.395 of 2023 of Jangaon Police Station, Warangal District. The offences alleged against the petitioner are under Section 306 read with Section 34 of Indian Penal Code.

2. The sum and substance of case of the prosecution is that on 05.05.2023 one Purma Yadagiri, Uppalaiah (deceased) and Boini Yadagiri, allegedly consumed liquor nearby a well. Purma Yadagiri went to attend nature call and subsequently, his dead body found in the well. In this regard, FIR was registered under Section 174 of Cr.P.C., and the wife of the deceased viz., Purma Siddamma allegedly expressed no suspicion. On 13.06.2023, a panchayat was conducted at Pedapahad Village before the husband of village Sarpanch, viz., A2/Sridhar Reddy, along with the relatives of wife of the Purma Yadagiri attributing

Uppalaiah (deceased) and Boini Yadagiri are responsible for the death of Purma Yadagiri. Feeling insult, Uppalaiah (deceased) on the next day consumed poison and succumbed while undergoing treatment.

3. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent – State and perused the material placed on record.

4. On a perusal of the record, it is clear that there is no specific overt act against this petitioner/accused No.3 but he is only member of the Panchayat and further he is not either the sarpanch or husband of the sarpanch. Further there is ample time for the deceased to recede from the emotions created on account of certain allegations made. In the light of the above facts and circumstances, it is a fit case to grant anticipatory bail to the petitioner – accused No.3.

5. Accordingly, the Criminal Petition is allowed and the petitioner-accused No.3 shall be released on anticipatory bail in the event of his arrest on the following terms and conditions:

- (i) The petitioner-accused No.3 is enlarged on bail in the event of his arrest in connection with Crime No.395 of 2023 on the file of the Station House Officer, Jangaon Police Station, Warangal 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.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: 14.07.2023
Dua/Pld

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