

THE HONOURABLE SRI JUSTICE M. LAXMAN

CRIMINAL PETITION No.6447 OF 2023

ORDER:

1. This petition is filed under Sections 437 and 439 of Criminal Procedure Code, 1973 (Cr.P.C) seeking to grant regular bail to the petitioner, who is arrayed as accused No.3 in Crime No.111 of 2023 of Amangal Police Station, Cyberabad. The offences alleged against the petitioner are under Sections 448, 306, 384, 323 and 504 read with Section 34 of the Indian Penal Code.

2. The facts disclose that on 05.06.2023 accused No.2 lost his gold ring in front of Abhishta Hotel. When the accused verified the CC footage, they assumed that the deceased allegedly took the gold ring, as such accused Nos.1 to 5 went to the house of the deceased on 05.06.2023 and allegedly insisted him to give back the gold ring but the deceased claimed innocent. Then the accused 1 to 5 allegedly beat and abused the deceased in filthy language and took the mobile phone and bike of the deceased. Insulted by such acts, on the next day i.e., on 06.06.2023 in between 10.00 and 12.00 hours, the deceased committed suicide by consuming poison.

3. Heard learned counsel for the petitioner - accused No.3 and learned Additional Public Prosecutor for the respondent - State.

4. On perusal of the material on record, the incident of alleged abuse was happened on 05.06.2023 at 17.00 hours and the suicide was committed on the next day i.e. on 06.06.2023. There was ample time for the deceased to retreat the emotions created out of such incident of abuse. Further, there is no overt act attributed against this petitioner - accused No.3. In the said circumstances, it is a fit case to grant bail to the petitioner - accused No.3.

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

- (i) The petitioner-accused No.3 shall be released on bail on his executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of Judicial First Class Magistrate, Ranga Reddy District at Amangal.

- (ii) The petitioner-accused No.3 shall not directly or indirectly influence or make any witnesses or complainant.
- (iii) The petitioner-accused No.3 shall make available with the investigating agency for proper investigation and he shall fully cooperate with the investigation agency. He shall not in any manner which will be prejudicial to fair and expeditious investigation.

JUSTICE M. LAXMAN

Date: 21.07.2023
ns/sa

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