

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.8119 of 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused seeking bail in the event of his arrest in connection with Crime No.63 of 2023 on the file of Tamsi Police Station, Adilabad, registered for the offence punishable under Section 306 of Indian Penal Code.

2. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The case of the *de-facto* complainant, who is the father of the deceased is that this petitioner belongs to same village. The petitioner was following his daughter and he was advised not to do so. On 26.07.2023, four of the friends of the victim girl met her and they have decided to go the house of this petitioner. However, her friends refused. According to the complaint, the victim girl alone went to petitioner's house, met him and came back. Thereafter, in the night, she committed suicide. The father of the victim girl expressed suspicion regarding petitioner being involved. However, in the compliant, it is mentioned that

he is not aware as to what was transpired in between the deceased and the petitioner.

4. Learned counsel appearing for the petitioner submits that there is no allegation of any kind of abetment as far as this petitioner is concerned. Only for the reason of victim girl going to the house and came back from his house and committed suicide, it cannot be inferred that the petitioner is responsible.

5. In the peculiar facts of the present case, if the petitioner was following the victim girl and that was opposed by her, there is no reason for her to go alone to the house of the petitioner, even otherwise, what transpired in between them in the house was also not known.

6. Learned Additional Public Prosecutor on instructions would submit that there is no suicide note which was left behind. However, Section was altered to Section 305 of IPC.

7. Keeping in view that the petitioner is a student and in the back ground of the victim girl going to the house of petitioner, which is peculiar, the petitioner can be granted the relief of anticipatory bail to the petitioner, subject to the following conditions:

- 1) The petitioner/Accused is directed to surrender before the Station House Officer, Tamsi Police Station, Adilabad District, on 02.09.2023. On such surrender, the said Station House Officer shall release the petitioner on bail, on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties for a like sum each to his satisfaction.
 - 2) On such release, petitioner/Accused shall appear before the concerned Station House Officer at 10.00 A.M everyday till 11.09.2023 for the purpose of investigation and thereafter, as and when required.
 - 3) The petitioner/Accused shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.
8. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 31.08.2022
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K.SURENDER, J

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Dt.31.08.2023

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