

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.8219 of 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused No.2 seeking bail in the event of his arrest in connection with Crime No.271 of 2023 on the file of Karimnagar Rural Police Station, Karimnagar District, registered for the offence punishable under Section 306 r/w. 34 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 mother of the deceased filed a complaint stating that his deceased son was married to A-1 and they were having a son and a daughter. A-1/daughter-in-law was having an affair with this petitioner who is a Government Teacher, even prior to marriage. A-1 was hitting and scolding the deceased in front of everyone, though she was having an affair with this petitioner. A panchayat was held and in the said panchayat, she informed that she would be nice to the deceased. However, she was talking to this petitioner on phone. She did not change her

behavior. On 06.08.2023, the deceased consumed pesticide and died.

4. Learned counsel appearing for the petitioner would submit that there are no allegations against this petitioner to attract the offences of abetting suicide.

5. On the other hand, learned Additional Public Prosecutor submits that unable to bear the insult made by his wife, having an affair with this petitioner, the deceased committed suicide.

6. Even in the complaint, there is no mention that this petitioner had at any point of time either interacted with the deceased or had any confrontation in any manner. It is not even mentioned in the complaint that this petitioner knew about the alleged affair between him and the wife of the deceased. Keeping in view that there is no allegation against this petitioner for abetting suicide except stating that he was having an affair with A-1, this Court deems it appropriate to grant the relief of anticipatory bail to the petitioner, subject to the following conditions:

- 1) The petitioner/A-2 is directed to surrender before the Station House Officer, Karimnagar Rural Police Station, Karimnagar, on 04.09.2023. 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 only) with two sureties for a like sum each to his satisfaction.

2) On such release, petitioner/A-2 shall appear before the concerned Station House Officer at 10.00 A.M on every Monday for a period of eight weeks, for the purpose of investigation and thereafter, as and when required.

3) The petitioner/A-2 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.

7. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 01.09.2023
dv

K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.8219 of 2023
Dt.01.09.2023

dv

