

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 10897 OF 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioners/Accused Nos.1 and 2 seeking bail in the event of their arrest in connection with Crime.No.168 of 2023 on the file of Kodad Town Police Station, Suryapet District, registered for the offence under Section 174 of Cr.P.C.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State and perused the record.

3. The case was registered under Section 174 Cr.P.C. for suspicious death. However, the Section of law was altered to Section 306 of IPC, the basis being the dying declaration given by the deceased. In the said dying declaration, it is mentioned that the 1st petitioner is sister-in-law and the 2nd petitioner is her brother. Both were responsible for the differences between the deceased and his wife. The 1st petitioner was getting pension and she has no other work. She used to tell the wife of the deceased against the deceased. For the said reason, he committed suicide.

4. Even according to the dying declaration, the communication was in between the 1st petitioner and the wife of the deceased. It is not stated in the dying declaration that these petitioners at any point of time had directly instigated or abetted commission of suicide.

5. In the said circumstances of the case, the relief of anticipatory bail can be granted to the petitioners, subject to following conditions:-

- 1) The petitioners/Accused Nos.1 and 2 are directed to surrender before the Station House Officer, Kadad Town Police Station, Suryapet District on or before 15.11.2023. Upon such surrender, the said Station House Officer shall release the petitioners/Accused Nos.1 and 2 on bail, on their executing personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to his satisfaction.
- 2) On such release, the petitioner/Accused No.2 shall appear before the concerned Police 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. As far as petitioner/A-1 is concerned, she shall appear as and when required.

3) The petitioners/Accused Nos.1 and 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.

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

K.SURENDER, J

Date : 08.11.2023
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Dt.08.11.2023

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