

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11489 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.177 of 2023 on the file of Kodangal Police Station, Vikarabad District, registered for the offence under Section 306 r/w. 34 of IPC.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The case of the prosecution is that the father of the deceased lodged a complaint alleging that this petitioner and A-1 allegedly assaulted his son on 08.11.2023. The reason for assaulting the deceased is that deceased handed over a cell phone to the sister of A-1, which was given by one Achyuth. For the reason of passing the said cell phone, the petitioner and another threatened the deceased that they would lodge a complaint against him and he was also assaulted. Afraid of case being filed against him, the deceased allegedly committed suicide.

4. Even according to the complaint, it is a solitary instance of confronting the deceased as to why he has handed over the cell phone to sister of A-1. It cannot be said that on account of said altercation, this petitioner had indulged or abetted the deceased in committing suicide.

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

- 1) The petitioner/Accused No.2 is directed to surrender before the Station House Officer, Kodangal Police Station, Vikarabad District, on or before 04.12.2023. Upon such surrender, the said Station House Officer shall release the petitioner/Accused 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, 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.
- 3) The petitioner/Accused No.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.

Date : 23.11.2023
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K.SURENDER, J

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CRIMINAL PETITION No. 11489 of 2023
Dt.23.11.2023

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