

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11645 of 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioner/Accused No.2 seeking anticipatory bail in the event of his arrest in connection with F.I.R No.118 of 2023 dated 09.11.2023 on the file of the Jainoor Police Station, Kumurambheem Asifabad District, registered for the offence punishable under Section 306 r/w 34 of Indian Penal Code (for short 'IPC').

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

3. The case of the prosecution is that the victim committed suicide on account of the alleged continuous harassment by accused No.1 by beating her for the reason of not paying the loan amount. In the complaint, it is mentioned that on a particular day, this petitioner was also involved in altercation, pursuant to which, they went to the police station.

4. Learned counsel for the petitioner would submit that except naming this petitioner in the complaint stating that he was

involved in the altercation on one day, there is no other allegation of alleged abatement to commit suicide.

5. As seen from the complaint, specific allegations are leveled against accused No.1 stating that continuously, accused No.1 was harassing the deceased for the reason of not paying the loan amount. Though it is mentioned that on a particular day, this petitioner was also involved in altercation and the matters were taken to the police station, prima facie, the same will not amount to instigating the deceased to commit suicide. For the said reason, this Court is inclined to grant the relief of anticipatory bail, subject to the following conditions:

- 1) The petitioner/Accused No.2 is directed to surrender before the Station House Officer, PS, Jainoor, Kumurambheem Asifabad District, on or before 04.12.2023. Upon such surrender, the said Station House Officer shall release the petitioner/Accused No.2 on bail, on his executing personal bond for a sum of Rs.20,000/- (Rupees Twenty 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 on every Monday at 10am for a period of four (04) weeks and thereafter, as and when required for the purpose of investigation.

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 : 28.11.2023
gvl/pvt

K.SURENDER, J

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Dt.28.11.2023

gvl/pvt