

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12673 of 2023

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioners/accused Nos.1 and 2 seeking anticipatory bail in the event of their arrest in connection with F.I.R No.145 of 2023 dated 15.09.2023 on the file of the Chinthapally Police Station, Nalgonda District, registered for the offence punishable under Section 306 of the Indian Penal Code (for short 'IPC').

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

3. The de facto complainant is the husband of the deceased. The complaint was filed on 15.09.2023. It is alleged that a plot was sold to petitioner No.1. There were differences regarding the boundaries of the said plot and altercation ensued, for which reasons, these petitioners allegedly abused the deceased stating that she had entrapped the de facto complainant who is the relative of these petitioners. Further, in the Dying Declaration, the deceased narrated that there were differences regarding the plot boundaries and on one day, these petitioners abused her in filthy

language in front of several others. Unable to bear the insult, she committed suicide.

4. As seen from the complaint, the alleged abuses was a solitary incident and prima facie, the ingredients of abetment of incitement to commission of suicide are missing for which reasons, this Court deems it appropriate to grant relief of anticipatory bail to the petitioners, subject to the following conditions:

- 1) The petitioners/accused Nos.1 and 2 are directed to surrender before the Station House Officer, PS, Chinthapally, on or before 03.01.2024. 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.25,000/- (Rupees Twenty Five Thousand only) each with two sureties for a like sum each to his satisfaction.
- 2) On such release, the petitioners/accused Nos.1 and 2 shall appear before the concerned police on every day between 10am to 12pm for a period of one (01) week and thereafter, as and when required for the purpose of investigation.
- 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.

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

Date : 26.12.2023
gvl/ktm

K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12673 of 2023
Dt.26.12.2023

gvl/ktm