

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.487 of 2024

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioners/accused Nos.2 and 3 seeking anticipatory bail in the event of their arrest in connection with F.I.R No.14 of 2024 on the file of the Adibatla Police Station, Rachakonda, registered for the offences punishable under Sections 306 and 498-A r/w 34 of the Indian Penal Code (for short 'IPC').

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

3. The de facto complainant filed a written complaint with the Adibatla Police Station alleging that his deceased daughter was married to accused No.1 about 13 years prior to the complaint. They were having two sons. Accused No.1 used to consume liquor every day and harassed the deceased by beating her. Thereafter, they started living separately and the deceased went to her parents house. Petitioner No.1 is paternal uncle of accused No.1 and petitioner No.2 is son of petitioner No.1. They have convinced the de facto complainant to send her daughter to live along with accused No.1. However, the de facto complainant received information that his daughter committed suicide.

4. Learned senior counsel for the petitioners would submit that even according to the complaint, the allegations are leveled against husband, who is accused No.1. Only averment made in the complaint is that these petitioners went to the house of de facto complainant and convinced him to send back the wife of accused No.1. Since there are no allegations of harassment or causing cruelty are forthcoming insofar as these petitioners are concerned, prima facie the ingredients of Section 306 of IPC are not made out. Hence, this Court deems it appropriate to grant relief of anticipatory bail to the petitioners, subject to the following conditions:

- 1) The petitioners/accused Nos.2 and 3 are directed to surrender before the Station House Officer, PS, Adibatla, Rachakonda, on or before 20.01.2024. Upon such surrender, the said Station House Officer shall release the petitioners/accused Nos.2 and 3 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.2 and 3 shall appear before the concerned police concerned Station House Officer on every Monday at 10am for a period of four (04) weeks.
- 3) The petitioners/accused Nos.2 and 3 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 : 12.01.2024
gvl/pvt

K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.487 of 2024
Dt.12.01.2024

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