

THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.3197 OF 2024

ORDER:

This Criminal Petition is filed under Section 438 of Code of Criminal Procedure, 1973 (for short “Cr.P.C.”) seeking anticipatory bail to the petitioner-Accused No.2 in Crime No.82 of 2024 on the file of Mokila Police Station, Cyberabad Commissionerate, registered for the offences punishable under Sections 306, 384, 385, 406 and 420 read with 34 of IPC, Section 5 of TSPDFE Act, Sections 3, 10 and 13 of Money Laundering Act and Section 3(2)(v) of SCs and STs (POA) Act, 2016.

2. The case of the prosecution in brief was that on 04.03.2024 at 11:30 hours, the *de-facto* complainant i.e., the wife of the deceased lodged a report stating that her husband got acquainted with one Thirupathi Rao (A1), who introduced GSN money circulation scheme to her husband Ravi, he used to collect money from his villagers, neighbouring villages and also from known persons as deposits and used to send the same to Thirupathi Rao and distribute the money received from him to the members who joined in the scheme. While the business was running well, her husband purchased land to an extent of Ac.0-39 gts. at Tangatoor Village and started construction of a function hall in the name of SMU. For the past three months, Thirupathi Rao stopped sending money to her husband, as such,

her husband could not repay the returns to the members of the scheme. The members started asking for return of their money. On that issue, some of the journalists demanded money from her husband by threatening him. As per their demand, her husband agreed to pay Rs.10 lakhs to them and accordingly, paid Rs.2,50,000/- to them by pledging her gold ornaments. Further, a depositor by name, Nagaraj and his wife harassed her husband for return of their deposited money, for which, the deceased kept the land documents with money lenders and gave Rs.18 lakhs to Nagaraj. Due to heavy pressure from the depositors, irresponsiveness of Thirupathi Rao and harassment from journalists and others, her husband Ravi vexed with his life, murdered his three sons by hanging with rope at his house and also committed suicide by hanging at the newly constructed function hall at Tangatoor. Basing on the said report, the above crime was registered and A5 to A7 were arrested on 13.03.2024.

3. Heard the learned counsel for the petitioner-A2 and the learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner-A2 submitted that the allegations leveled against the petitioner were false, created and concocted. The petitioner was a journalist, he was not involved in the above crime. A false

case was foisted against the petitioner and prayed to enlarge the petitioner on anticipatory bail.

5. Learned Additional Public Prosecutor submitted that on the pressure of some of the journalists, the deceased paid an amount of Rs.2,70,000/- to A2, as such, he was not entitled to be released on anticipatory bail.

6. Perused the record. Considering that the offences under Section 5 of TSPDFE Act, Sections 3, 10 and 13 of Money Laundering Act and Section 3(2)(v) of SCs and STs (POA) Act, 2016 are not applicable to the petitioner and the complaint also would not disclose that the petitioner had abetted or instigated or induced the deceased to commit suicide, as such, Section 306 of IPC is also not applicable to the petitioner and Section 406, criminal breach of trust and Section 420 cheating are also not applicable to the petitioner and the only offences that are applicable to the petitioner are under Sections 384 and 385 of IPC which are punishable only with imprisonment for three years and two years respectively, it is considered fit to enlarge the petitioner-A2 on anticipatory bail on certain conditions.

7. Accordingly, the Criminal Petition is allowed and the petitioner - accused No.2 shall be released on anticipatory bail subject to the following conditions:

- 1) The petitioner-Accused No.2 is directed to surrender before the Station House Officer, Mokila Police Station, Cyberabad Commissionerate, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner on bail, on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer.
- 2) The petitioner-Accused No.2 shall abide by the conditions stipulated under Section 438(2) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

March 22, 2024
ss

Dr. G.RADHA RANI, J