THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.3705 OF 2024

ORDER:

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner/Accused No.7 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, her husband used to collect money from his villagers, neighbouring villagers 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-A7 and the learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner-A7 submitted that the deceased Ravi did illegal business. He had cheated many poor people and collected deposits from them by inducing that they would get huge returns. The

petitioner was one of the victim in the hands of Ravi. He was arrested on 13.03.2024. The petitioner/A7 was in a very pitiful condition on one side he lost his huge amounts invested and on the other side he was facing the allegations for the death of the deceased. The petitioner was a Home Guard working at CAR Head Quarters as a mechanic. His arrest was effecting his government job. The entire investigation was completed except for filing the charge sheet and prayed to enlarge the petitioner on bail.

5. Learned Additional Public Prosecutor opposed grant of bail to the petitioner. He submitted that due to pressure exercised by the petitioner and his wife, the deceased mortgaged his two plot documents with L.W.8 for Rs.18,00,000/- and gave money to petitioner/A7. As the depositors and press reporters harassed and threatened the deceased and kept him under fear to give money, unable to bear their harassment, the deceased committed suicide after murdering his three sons. As such, the petitioner was also responsible for the death of the deceased and opposed grant of bail to the petitioner.

6. Perused the record.

7. Considering that the complaint would not disclose that the petitioner had abetted or instigated or induced the deceased to commit suicide to

attract the offence punishable under Section 306 of IPC and the offences under Sections 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 are not applicable to the petitioner herein and as the offences that were applicable to the petitioner under Section 384 and 385 of IPC were punishable with three years and two years imprisonment respectively, it is considered fit to enlarge the petitioner-A7 on bail on certain conditions.

8. Accordingly, the Criminal Petition is allowed and the petitioner-A7 shall be released on regular bail subject to the following conditions:

i) The petitioner-A7 shall execute 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 learned Judicial First Class Magistrate (FCMJ), Chevella.

ii) The petitioner-A7 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

Dr. G.RADHA RANI, J

Dated: April 04, 2024
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THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.3705 OF 2024

Dated:04.04.2024

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