

THE HONOURABLE DR.JUSTICE G. RADHA RANI

CRIMINAL PETITION No.3845 of 2024

ORDER:

This Criminal Petition is filed by the petitioner – A2 under Section 438 of Code of Criminal Procedure for grant of anticipatory bail in the event of his arrest in Crime No.202 of 2023 on the file of PS Pegadapally, Jagtial District, registered for the offences punishable under Sections 306, 385, 506 read with Section 34 of IPC and Sections 3(2)(Va) of SC / ST (Prevention of Atrocities) Act, 2015.

2. The case of the prosecution in brief was that on 27.10.2023 at 22:00 hours, the *de facto* complainant, the father of the deceased lodged a report stating that the deceased was his younger son, who was staying along with him. On 25.10.2023 at about 11:00 PM, one Gajjela Ramesh (A1) came to his house and abused his younger son and threatened him not to speak to his wife and not to visit his house in his absence and also asked him to die. The complainant further stated that he came to know that the said Ramesh informed the matter to one Rangu Gangadhar Goud (the petitioner herein). On that, Rangu Gangadhar Goud demanded his younger son to give an amount of Rs.20,000/- to settle the matter. On 26.10.2023, he tried to summon Gajjela Ramesh before the elders. But, he did not attend. Since then, his younger son fell in fear and was staying

in the house. On 27.10.2023, when he and his wife went out from the house, his younger son committed suicide by hanging to a beam with a saree.

3. Basing on the said report, the above crime was registered against A1 and A2 for the above offences.

4. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor for the respondent – State.

5. Learned counsel for the petitioner submitted that the only allegation leveled against the petitioner was that he tried to extort money of Rs.20,000/- from the deceased. Except the said bald allegation, there was no other averment to connect the petitioner for the offences under Sections 306, 506 and Section 3(2)(Va) of SC / ST (Prevention of Atrocities) Act, 2015 and relied upon the judgments of the Hon'ble Apex Court in **Sanju @ Sanjay Singh Sengar v. State of Madhya Pradesh¹**, **Amalendu Pal v. State of West Bengal²** and **M.Mohan v. State represented by the Deputy Superintendent of Police³**.

6. Learned Assistant Public Prosecutor opposed grant of anticipatory bail to the petitioner – A2.

7. Perused the record.

¹ 2002 (5) SCC 371

² (2010) 1 SCC 707

³ (2011) 3 SCC 626

8. Considering that the allegations in the complaint would not disclose the involvement of the petitioner for the offences under Sections 306 and 506 of IPC and Section 3(2)(Va) of SC / ST (Prevention of Atrocities) Act, 2015 and the offence under Section 385 of IPC is punishable only with imprisonment for a period of two years, it is considered fit to grant anticipatory bail to the petitioner – A2 on certain conditions.

9. In the result, the Criminal Petition is allowed and the petitioner – A2 is granted anticipatory bail subject to the following conditions:

(i) The petitioner – A2 is directed to surrender himself before the Station House Officer of PS Pegadapally, Jagtial District within a period of (15) days from the date of this Order, and on such surrender, the SHO of PS Pegadapally, Jagtial District shall release the petitioner – A2 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.

(ii) The petitioner – A2 shall comply with the conditions stipulated under Section 438(2) of Cr.P.C.

As a sequel, miscellaneous applications pending in this petition, if any shall stand closed.

Dr. G. RADHA RANI, J

**Date: 15th April, 2024
Nsk.**