

THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.4676 OF 2024

ORDER:

This Criminal Petition is filed by the petitioner – Accused No.1 under Section 438 of Code of Criminal Procedure, 1973 (for short “Cr.P.C”), for grant of anticipatory bail in the event of her arrest in Crime No.221 of 2024 on the file of Rajendranagar Police Station, Cyberabad, registered for the offence under Section 306 read with 34 of Indian Penal Code, 1860 (for short, ‘IPC’).

2. The case of the prosecution in brief was that on 14.03.2024 at 20:30 hours, the *de facto* complainant the father of the deceased lodged a report before the police station stating that his son by name Srikanth was married to his brother-in-law daughter Swapna 6 years ago and they were having two daughters. One month after the marriage, his son started living with his wife at her parent’s house at NM guda, Attapur and after two years, they moved to a rented house besides his wife’s paternal home. His son and daughter-in-law were used to have fights very often and she used to go to her mother’s house. Her family members i.e., her father Narasimha, mother Nagamani, brothers Suresh and Sai Kiran, relative Srinu supported her and harassed his son

mentally. On 13.03.2024 at 22:00 hours, the complainant's son went to his wife's paternal home to bring her back to his house, as she left his house 2 months ago. But they insulted him and filed a petition in Attapur Police Station. Police called him for counseling on 14.03.2024. The complainant received a call from his son stating that he was committing suicide and he received a WhatsApp video from his son stating that his father-in-law, mother-in-law and brothers-in-law were not sending his wife to his home and beat him many times and also his wife used to scold him and stated that she would not come home whether he lives or dies. Feeling depressed, his son committed suicide by hanging to a tree located behind Pattikunta Lake, Rajendranagar with a towel. Basing on the said report, the above crime was registered.

3. Heard the learned counsel for the petitioner-Accused No.1 and the learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner-accused No.1 submitted that the petitioner was none other than the wife of the deceased who was having two daughters of 3 years old and 1 ½ year old. As her name was mentioned in the FIR, she was apprehending her arrest, as such, prayed for grant of anticipatory bail to the petitioner-accused No.1.

5. Learned Additional Public Prosecutor opposed grant of anticipatory bail to the petitioner stating that her name was mentioned by the *de facto* complainant in the complaint stating that his son specifically mentioned her name as responsible for the cause of his committing suicide. As such, the petitioner-accused No.1 was not entitled for grant of anticipatory bail.

6. Perused the record.

7. Considering the contents of the complaint wherein it would not disclose that the petitioner-accused No.1 had abetted or instigated or induced the deceased to commit suicide and the only allegation against her was that she refused to join him and that she lodged a complaint against him in the Police Station, for which police summoned the deceased for counseling which would not attract the offence under Section 306 of IPC, it is considered fit to enlarge the petitioner-accused No.1 on anticipatory bail.

8. Accordingly, the Criminal Petition is allowed directing the petitioner/accused No.1 to be released on anticipatory bail subject to the following conditions:

- i) The petitioner-Accused No.1 is directed to surrender before the Station House Officer, Rajendranagar Police Station, Cyberabad, within a period of (15) days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner-accused No.1 on bail, on her 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/Accused No.1 shall abide by the conditions stipulated in Section 438(2) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

Date:29.04.2024
dgr

Dr. G.RADHA RANI, J