

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

CRIMINAL PETITION Nos.5581 AND 5583 OF 2024

COMMON ORDER: (ORAL)

Since the crime in both the petitions is one the same, both the criminal petitions are heard together and disposed of by this common order.

2. These Criminal Petitions are filed, under Section 438 of the Code of Criminal Procedure, 1973, seeking grant of anticipatory bail to the petitioners-accused Nos.1 and 2 respectively in Crime No.110 of 2024 on the file of the Station House Officer, Lingampet Police Station, Kamareddy, registered for the offences punishable under Sections 306, 420 read with Section 34 of the Indian Penal Code, 1860 (for short 'I.P.C.').

3. The case of the prosecution is that the *de-facto* complainant – Smt. Kummari Swaroopa, W/o. Satyanarayana, lodged the written complaint on 13.05.2024 stating that her husband went to Dubai for employment at about ten years ago and used to visit house for every two years. For about six to seven years ago, her son – Kummari Praveen (deceased) was searching for a job. Meantime, accused No.2

assured the deceased that he will get the job with the reference of accused No.1. Accordingly, accused No.2 took the deceased to accused No.1 and discussed about the job. Accused No.1 accepted to provide government job to the deceased at Medak Municipal Office. Upon which, in the year, 2019, accused No.2 has taken an amount of Rs.2,00,000/- from the deceased towards job process. Later accused No.1 has taken an amount of Rs.5,00,000/- from the deceased on installments and failed to provide government job. Finally, in the year, 2023, the deceased along with his father and uncle went to accused No.1 and questioned him regarding the job or to return the money. Accused No.1 assured them to provide government job at Collector Office, Sangarredy within two months. After few days, accused No.1 has given an order copy (appointment order) to the deceased and instructed him to join at Collector Office, Sangareddy after two months and taken Rs.1,00,000/- from the deceased. Thus, accused No.1 has taken an amount of Rs.6,00,000/- and accused No.2 has taken an amount of Rs.2,00,000/- from the deceased. Later, the deceased came to know that the order copy given by accused No.1 is fake. The deceased started making calls to accused No.1 to return his money. Consequently, some issues were arisen between the deceased

and her wife and the same ended in divorce about six months ago. Later, the deceased joined a private job at Hyderabad and attended for few days.

4. It is alleged that the deceased felt cheated by accused Nos.1 and 2; he tried to contact them several times over phone; he also made whatsapp calls and messages to return the amount but they did not return the amount. On 12.05.2024, the *de-facto* complainant took her son to the house of her brother to attend a function and returned home in the evening. Later, the deceased remembered about the job fraud and money, and the *de-facto* complainant tried to convince him not to think about the same. Subsequently, the deceased left home stating that he is going out to call his friend but did not return home. On, 13.05.2024, at early hours, when the *de-facto* complainant was searching for her son, she came to know through a villager that her son committed suicide by hanging with a cloth to Neem tree in front of Goddess Yellamma situated in the shivar of Lingampet village. It is alleged in the complaint that her son got disgusted due to the illegal activities of accused Nos.1 and 2, who have taken Rs.8,00,000/- with an assurance to provide government job.

5. Heard learned counsel for the petitioners and learned Assistant Public Prosecutor for respondent – State.

6. On reading the contents of the FIR, *prima facie*, there is no allegation of abetment against the accused so as to attract the offence under Section 306 of I.P.C. It is not the case of the *de-facto* complainant that her son committed suicide immediately on coming to know that appointment order shown by accused persons is fake. It is her case that her son went into depression due to the fraud played by the accused persons.

7. In the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners-accused Nos.1 and 2.

8. Accordingly, these Criminal Petitions are allowed and the petitioners are directed to surrender before the Station House Officer, Lingampet Police Station, Kamareddy District, within 15 days from today. On such surrender, the petitioners shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties for a like sum

each to the satisfaction of the said Station House Officer. Further, on such release, the petitioners shall abide by the conditions as under:

1. The petitioners shall make themselves available for interrogation by the police officer as and when required.
2. The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
3. The petitioners shall not leave India without the prior permission of the Court.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

Date: 23.05.2024.
TMK/PRN

B. VIJAYSEN REDDY, J