

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

CRIMINAL PETITION No.6483 OF 2024

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C by the petitioners seeking anticipatory bail.
2. The petitioners are accused Nos.2 to 5 in Crime No.201 of 2024 on the file of the PS; Karimnagar I Town, Karimnagar District, within the territorial jurisdiction of the II Addl. Judicial Magistrate of First Class at Karimnagar.
3. I have heard Sri Vemuganti Mahesh Kumar, learned counsel for the petitioners and Sri Khaja A. Vizarath Ali, learned Assistant Public Prosecutor for the respondent-State.
4. The case of the prosecution in brief is that the accused No.1 has harassed the deceased by recording his voice and photos in her cell phone and insisted him

for marriage. On one day, the accused No.1 along with the petitioners went to Grampanchayat office of Mallapur Village and had spoken badly against the deceased and family. Thereafter, the deceased had committed suicide. Thus, the petitioners have committed offences under Section 306 r/w 34 of the Indian Penal Code, 1860.

5. Learned counsel for the petitioners submits that the petitioners are innocent and they were falsely implicated in the case. Even as per the alleged suicide note of the deceased, the name of the accused No.1 has been referred but not the petitioners for the death of the deceased. Additionally, the prosecution has neither any record nor the police report is disclosing any specific overt act showing instigation on the part of the petitioners against the deceased, his neighbour. In addition pleaded that the petitioners are ready to assist the investigation and abide by any of the conditions that may be imposed, but, as the police report is registered,

they are apprehending arrest, as such, prayed for grant of anticipatory bail.

6. Learned Assistant Public Prosecutor opposed bail application, however submits that the role of the petitioners is shown as that they have accompanied the accused No.1 to the Grampanchayat office and that spoken bad words against the deceased. However, the investigation is still pending.

7. I have considered the submissions of learned counsel and perused the materials placed on record.

8. The petitioners are mother, father, sister and brother-in-law of the accused No.1 and the allegation against them is that they have accompanied the accused No.1 at one instance to the Grampanchayat office and made certain statements against the deceased. In the absence of any specific act or circumstance of the petitioners depicting instigation and abetting the suicide and considering the depth of allegations, this Court is of

the view that the prayer of the petitioners for grant of anticipatory bail deserves positive consideration.

9. Accordingly, the present Criminal Petition is allowed on the following conditions:

- 1) The petitioners/accused Nos.2 to 5 are directed to surrender before the Station House Officer, PS; Karimnagar I Town, Karimnagar District, on or before 10.07.2024. Upon such surrender, the said Station House Officer shall release the petitioners on bail, on each of them executing a self-bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to his satisfaction.
- 2) The petitioners shall make themselves available for interrogation as and when required by the police till filing of charge sheet.
- 3) The petitioners shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the

Investigating Officer in investigating the case.

- 4) In case the petitioners commit breach of any of the conditions, the bail is liable to be cancelled at the instance of the prosecution.

Miscellaneous applications, pending if any, shall stand closed.

N.TUKARAMJI, J

Date: 01.07.2024

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Dt.01.07.2024