

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION Nos.12418 OF 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused No.1 seeking bail in the event of his arrest in connection with Crime No.103 of 2023 on the file of Kaleswaram Police Station, Jayashankar Bhupalpally District, registered for the offence under Section 306 of IPC.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The complaint was lodged by the wife of the deceased alleging that there were disputes regarding the land at Mangalkunta Shivar of Kaleshwaram Mandal. On account of said disputes in between one Mahesh and the deceased, this petitioner went to the house of the deceased on 18.10.2023 and abused him in filthy language and went away. Thereafter, the deceased committed suicide.
4. Learned counsel appearing for the petitioner would submit that bald allegation is made regarding abusing by this

petitioner verbally, the same would not amount abetting to commit suicide.

5. Learned Additional Public Prosecutor opposed the bail application on the ground that this petitioner has criminal history.

6. Admittedly, as seen from the complaint, it is a solitary incident on 18.10.2023 on which day, this petitioner allegedly went to the residence of the deceased and abused him in filthy language and went away. *Prima facie*, the said solitary incident of the alleged abuse, would not amount to abetting commission of suicide.

5. In the said circumstances of the case, the relief of anticipatory bail can be considered, subject to following conditions:-

- 1) The petitioner/Accused No.1 is directed to surrender before the Station House Officer, Kaleshwaram Police Station, Jayashankar Bhupalpally District, on or before 09.01.2024. Upon such surrender, the said Station House Officer shall release the petitioner/Accused No.1 on bail, on his executing personal 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) On such release, the petitioner/Accused No.1 shall appear before the concerned Station House Officer at 10:00 a.m. everyday for a period of two weeks and thereafter as and when required, for the purpose of investigation.
- 3) The petitioner/Accused No.1 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.

6. Accordingly, the Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 02.01.2024
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K.SURENDER, J

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Dt.02.01.2024

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