

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.12740 OF 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused No.2 seeking bail in the event of her arrest in connection with Crime No.156 of 2023 on the file of Golkonda Police Station, Hyderabad District, registered for the offences under Sections 306, 420 and 406 of IPC.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The deceased committed suicide leaving behind the suicide note. It is alleged that in the suicide note that the petitioner and accused No.1 who are the Directors of HAWTHRONE EMERALD Pvt. Ltd have cheated her and one Imran by collecting amounts on the pretext of starting a business. However, amounts were not returned after persuasion.
4. As per the remand report, an amount of Rs.20 lakhs was returned by accused No.1 and even in the suicide note, it is

mentioned that accused No.1 had executed bonds to return the amounts which was taken from the deceased.

5. Learned counsel for the petitioner would submit that even according to the suicide note, accused No.1 had taken the amounts and in the remand report, it is mentioned that Rs.20 lakhs was returned to the deceased. He further submitted that nothing is specifically against the petitioner to infer that she has abetted commission of suicide by the deceased.

6. On the other hand, learned Additional Public Prosecutor opposed the bail application on the ground that the offence under Section 306 IPC is punishable up to 10 years and the amounts which were taken from the deceased were not returned to her, which compelled her to commit suicide.

7. As seen from the remand report and also the complaint, the allegation against this petitioner is that she is one of the partners of the company and it is not stated that how the deceased was instigated to commit suicide by the said investment of amounts. Since there are no specific allegations leveled against the petitioner amounting to the act of abetment to commit suicide, this Court is inclined to grant relief of

anticipatory bail to the petitioner, subject to the following conditions:-

- 1) The petitioner/Accused No.2 is directed to surrender before the Station House Officer, Golkonda Police Station, Hyderabad District, within one week. Upon such surrender, the said Station House Officer shall release the petitioner/Accused No.2 on bail, on his executing personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, for a like sum each to his satisfaction.
- 2) On such release, the petitioner/Accused No.2 shall appear before the concerned Station House Officer at 10:00 a.m. on every Monday for a period of four weeks and thereafter as and when required, for the purpose of investigation.
- 3) The petitioner/Accused No.2 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.

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

K.SURENDER, J

Date : 08.01.2024.
dgr/plp

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Dt.08.01.2024

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