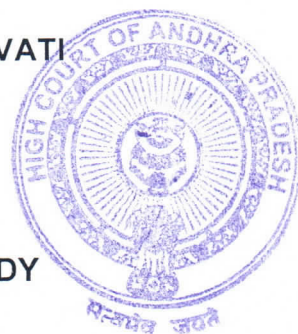


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE ELEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 2403 OF 2023



Between:

1. Shaik Nagulu @ Surya, S/o NaseerBabu, Muslim, aged about 22 years, R/o Krishna Balija Nagar, Nandigama town and Mandal, NTR District. (A-1)
2. ShaikKhaaVali, S/o. Karimulla, Muslim, aged about 20 years, R/o New SC Colony, Nandigama town and Mandal, NTR District.(A-2)

Petitioners/Accused No. 1 & 2

AND

The State of Andhra Pradesh, rep., by its Public Prosecutor, High Court of
Judicature at Amaravathi

Respondent

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the petitioner on bail in Crime No.384/2022 on the file of VatsavaiPolice station, Vatsavai, NTR District.

COUNSEL FOR THE PETITIONER : SRI P V N KIRAN KUMAR

COUNSEL FOR THE RESONDENT : PUBLIC PROSECUTOR

The Court made the following

ORDER:

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.2403 of 2023

Order:

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed by the petitioners/A1 and A2, seeking regular bail, in Crime No.384 of 2022 of Vatsavai Police Station, NTR Commissionerate.

2. A case has been registered against the petitioners for the offence punishable under Section 306 r/w 34 IPC.
3. Case of the prosecution, in brief, is that, the deceased was studying Intermediate First Year in Teja DVR College, Nandigama and she used to go college in RTC bus. A1 used to stalk the deceased stating that he loves her and would marry her. On believing the words of A1, the deceased used to move closely with him. On 21.12.2022, an altercation took place between the deceased and A1 when she asked the A1 to marry her, and during that altercation, A1 along with A2 abused the deceased and abetted her to die. By getting depressed with the words of A1 and A2, she committed suicide by consuming pesticide on the even date.
4. Heard the learned counsel for the petitioner and learned Special Assistant Public Prosecutor.
5. A perusal of material on record goes to show that, originally a case under Section 174 Cr.P.C. was registered, and subsequently, basing on the strength of confessional statement,

the section of law has been altered to Section 306 r/w 34 IPC against the petitioners. In the present case, the entire case rests on the confessional statement given by A2 before the police. It is needless to mention here that the confessional statement made before the police is not admissible in evidence. Except the said confessional statement, there is no other incriminating material to connect the petitioners to the crime. The petitioners were arrested on 06.03.2023 and since then they are in judicial remand. Learned Special Assistant Public Prosecutor submitted that as many as 14 witnesses are examined and charge sheet has not been filed for want of RFSL report.

6. In view of the facts and circumstances of the case, this Court is inclined to grant bail to the petitioners/A1 and A2.

7. Accordingly, the Criminal Petition is allowed. The petitioners/A1 and A2 shall be released on bail on each of them executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for the like sum to the satisfaction of the learned Judicial Magistrate of First Class, Jaggaiahpet, NRT District. The petitioners shall appear before the Station House Officer, concerned, once in a week i.e., on every Friday between 10.00 A.M., and 05.00 P.M., till filing of charge sheet.

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

For / SECTION OFFICER

To,

1. The Judicial Magistrate of First Class, Jaggaiahpet, NTR District.
2. The Superintendent, Sub Jail, Jaggaiahpet, NTR District.
3. The Station House Officer, Vatsavai Police station, Vatsavai, NTR District
4. One CC to SRI. P V N KIRAN KUMAR Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of A.P. [OUT]
6. One spare copy

HIGH COURT

SRKJ

DATED:11/04/2023

BAIL ORDER

CRLP.No.2403 of 2023

ALLOWED

