

HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.10661 of 2015

ORDER:

This petition is filed by the petitioner – accused No.1 under Sections 437 & 439 Cr.P.C. seeking to grant bail in Crime No.77 of 2001 on the file of Gajapathinagaram Police Station, Vizianagaram District, registered for the offences punishable under Sections 302 and 304-B IPC and 3 & 4 of the Dowry Prohibition Act.

Heard and perused the material available on record.

The allegation against the petitioner is that he married the deceased eight months prior to the date of incident i.e. 23.10.2001 and thereafter, he used to harass her demanding additional dowry and suspecting her character and on 23.10.2001, the petitioner and his parents beat the deceased indiscriminately, due to which the deceased died.

A perusal of the record discloses that the after completion of investigation, police filed charge sheet against the petitioner and his parents and as the petitioner was shown as absconding, NBW was issued against him. Since the petitioner was not traced out, the case against him was separated and the trial was conducted against his parents. The case against the parents of the petitioner was concluded and ended in acquittal, after due trial.

Petitioner was absconded for a long period and he was arrested on 09.06.2015 only. Considering the above facts and circumstances of the case and also taking into consideration the long period of absence of the petitioner before the Court below, this Court is not inclined to grant bail to him. However, the trial Court is directed to conclude the case against the petitioner as expeditiously as possible, preferably within a period of three (3) months from the date of receipt of a copy of this order since the case against the parents of the petitioner, was concluded and ended

in acquittal.

Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

October 26, 2015.

KTL