

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.5541 of 2015

ORDER :

This Criminal Petition is filed by Petitioners/Accused Nos.2 and 3 under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.342 of 2015 of Miyapur Police Station, Cyberabad registered for the offence punishable under Section 304-B I.P.C.

2) Heard the learned counsel for the petitioners and the 2nd respondent-State, represented by public prosecutor, before admission and before issuing notice to the 1st respondent-complainant and perused the material on record.

3) The petitioners are no other than in-laws of the deceased and A-1 is the husband of the deceased. The 2nd respondent is the defacto-complainant, who is father of the deceased and Viyyanka of the petitioners. The alleged un-natural death by suicide of the victim, wife of A-1, was on 31.05.2015 morning as can be seen from the report. It is the contention of the learned counsel for the petitioners that they are residents of Warangal, whereas the A-1 and the deceased were residing at Miyapur, having constructed their own house, with their two children independently. It is also the contention that the

so called demand of Rs.50,000/- for the house construction is also unbelievable as the house construction is already completed and there is nothing to say about the role of the petitioners but for a vague averment as they used to harass and it is a false implication.

4) The fact that the deceased committed suicide by hanging with a Chunni to the ceiling fan in the house and it is after break open the doors, locked from inside, it is noticed that she breathed the last. The petitioners are aged about 50 years. No doubt, there are no any specific allegations so far as the petitioners and how they seen before the death of the deceased ill-treated for any additional dowry demands to attract the presumption under Section 113-B of the Indian Evidence Act and Section 304-B of I.P.C.

5) Having regard to the above, though the facts fall short for this Court to admit the application for quashing of the F.I.R under Section 482 Cr.P.C, they are entitled to the concession of regular bail.

6) Accordingly, the criminal petition is disposed of giving liberty to the petitioners to surrender before the learned Magistrate concerned and move an application before the learned Sessions Judge concerned, with affidavit of surrender, for regular bail to hear the learned Public Prosecutor concerned and grant bail with

necessary conditions.

7) As a sequel, miscellaneous petitions pending, if any, in the criminal petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

09.07.2015

ksh