

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.8663 of 2017

ORDER:

This criminal petition is filed, by the petitioner-accused under Section 438 Cr.P.C., seeking pre arrest bail in Crime No.132 of 2017 on the file of the Station House Officer, Piler Police Station, Chittoor District, registered for the offences punishable under Sections 498-A and 306 IPC.

2. Learned counsel for the petitioner submitted that even if the allegations made in the complaint are *ex facie* taken to be true and correct, no *prima facie* case is made out against the petitioner under Section 306 IPC. ***Per contra***, learned Additional Public Prosecutor representing the State submitted that the allegations made in the complaint *ex facie* constitute the offences alleged to have been committed by the petitioner.

3. The case of the prosecution is that one P.Kalavathi (herein after referred to as 'the deceased') married the petitioner about three years back. Out of lawful wedlock, the deceased and the petitioner were blessed with a boy, aged about 1½ years. On 30.07.2017, the petitioner insulted the deceased in the presence of other ladies. The deceased felt insulted, poured kerosene on her and set ablaze to her. While taking treatment, the deceased died. Basing on the complaint of the deceased, the above case was registered. The petitioner filed CrI.M.P.No.2131 of 2017 on the file of the Court of XI

Additional District and Sessions Judge, Piler, and the same was dismissed on 05.09.2017 on the ground that the alleged offence is grave in nature. A perusal of the record *prima facie* reveals the role played by the petitioner in the commission of offence.

4. Taking into consideration the gravity of the offence alleged to have been committed by the petitioner this Court is of the considered view that it is not a fit case to grant pre-arrest bail to the petitioner.

5. In the result, the Criminal Petition is dismissed.

6th October, 2017
Rns

T.SUNIL CHOWDARY, J

