

**IN THE HIGH COURT OF JUDICATURE, AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH**

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION NO. 3056 OF 2017

Between:

Kurti Ram Mohan Rao,
S/o Simhachalam aged 24 years
Occ. Army.

....Petitioners

A n d

The State of Andhra Pradesh, through Station House Officer,
P.M.Palem Police Station, Visakhapatnam District represented by its
Public Prosecutor, High Court at Hyderabad.

....Respondents

DATE OF ORDER: 01.06.2017



THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO**CRIMINAL PETITION No. 3056 of 2017****ORDER:**

This bail application is filed by petitioner/A1 under Section 438 Cr.P.C., seeking anticipatory bail. Petitioner/A1 and other accused are facing charges in Crime No. 38 of 2017 on the file of P.M Palem Police Station, Visakhapattanam District, which was registered for the offence under Sections 498-A, 506 (2), 306 read with 34 IPC.

2. The deceased is the sister of the complainant. As per the complaint allegations, the deceased was working as supervisor at free training centre for tailoring and she fell in love with petitioner/A1 who works as soldier in defence, since three years prior to her death, she eloped with him married him at Shirdi silently on 30.7.2016 without any intimation to her parents and led conjugal life with him. However, of late, the petitioner herein started avoiding her and making efforts to marry another girl, who offered him good amount. On knowing about his efforts, the deceased took the matter to elders but the petitioner/A1 and his relatives refused to accept the deceased to be his wife and they threatened to kill the deceased if she continued to demand for marital life with him. Felt humiliated due to acts of the accused, the deceased committed suicide by hanging herself to the ceiling fan in the bed room of her sister's house by leaving a suicide note. The complaint of the sister of the deceased

was registered as Crime No. 38 of 2017 of P.M. Palem Police Station, Visakhapatnam City and investigation is underway.

3. Learned counsel appearing for petitioner while denying charges submits that petitioner/A1 is working as Soldier in Defence and he was falsely implicated.

4. Learned Public Prosecutor strongly opposed the bail application and submits that the suicide note, a copy of which is available in the CD file, is self-explanatory of the harassment caused by the petitioner and other accused to the deceased, which lead her to commit suicide and that the investigation is still pending. On this submission, he prayed for dismissal of the bail application.

5. As can be seen from the CD file and the suicidal note, there is a prima facie accusation against the accused. The investigation is in the nascent stage. In these circumstances, it is not a fit case to grant anticipatory bail to the petitioner/A1.

6. Accordingly, this Criminal Petition is dismissed. As a sequel there to, miscellaneous applications, pending if any, shall stand closed.

U.DURGA PRASAD RAO, J

Date: 01.06.2017
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