

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.7471 of 2017

ORDER:

This criminal petition is filed, by the petitioners-accused Nos.1 and 2, under Sections 437 and 439 Cr.P.C., seeking bail in Crime No.100 of 2016 on the file of the Station House Officer, Gunthakal II Town Police Station, Ananthapur District, registered for the offences punishable under Sections 174 Cr.P.C., which was later altered to 498 and 304-II IPC read with 34 IPC.

2. Learned counsel for the petitioners submitted that the petitioners were falsely implicated in this case. He further submitted that the entire investigation is completed. On the other hand, learned Additional Public Prosecutor representing the State submitted that the investigation is in progress, therefore, it is not a fit case to grant bail to the petitioners.

3. The facts leading to filing of the present petition are briefly as follows: One N.Nagabushan is the *de facto* complainant, who is none other than the father of the deceased. It is the case of the prosecution that the marriage of A1 was performed with the deceased on 26.12.2014 as per Hindu rites and caste customs. Out of lawful wedlock, A1 and the deceased were blessed with one son. It is the case of the prosecution that the petitioners herein along with other accused subjected the deceased to cruelty, without providing food, medical facilities and other

amenities, which act of the petitioners eventually resulted in her death.

4. The petitioners filed CrI.M.P.No.807 of 2017 on the file of the VI Additional Sessions Judge, Anantapuramu at Gooty under Section 439 Cr.P.C. and the same was dismissed on the ground that the investigation is not completed. As per the post-mortem certificate the deceased sustained blunt injury on the abdomen. Learned Additional Public Prosecutor submitted that accused Nos.3 and 4 were absconding.

5. A perusal of the record reveals that the petitioners were arrested on 30.06.2017 and produced before the Judicial Magistrate of First Class, Gunthakal for judicial custody. As rightly pointed out by the learned Additional Public Prosecutor, if the petitioners are released on bail, at this stage, the possibility of threatening the prosecution witnesses cannot be ruled out.

6. Taking into consideration the nature of offence and the stage of investigation, this Court is of the considered view that it is not a fit case to grant bail to the petitioners.

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

T.SUNIL CHOWDARY, J

28th August, 2017

Rns