

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.1436 of 2017

ORDER:

The petitioners, who are accused Nos.1 to 3 in crime No.03 of 2017 of Nagari Police Station, Chittoor District, filed the present application under Section 438 Cr.P.C. seeking release in the event of their arrest in connection with above crime registered initially for the offences punishable under Sections 498-A and 309 r/w 34 IPC and subsequently altered to 498-A and 306 IPC.

2) The case of the prosecution is that the marriage of deceased was performed with accused No.1, who was working in a private company. It is alleged that as she did not give birth to children, the parents of accused No.1 are alleged to have harassed her. Unable to bear such harassment, she came back to her parent's house, one month prior to the alleged incident. While staying with her parents, the parents of the deceased started making arrangements for performing the second marriage of deceased. Due to the acts of the parents of the deceased, the deceased is alleged to have got vexed with her life and committed to suicide by pouring kerosene. Basing on the statement of the deceased said to have been recorded by police, the present crime is registered.

3) Heard learned counsel for the petitioners and learned public prosecutor appearing for the respondent—State.

4) At the time of arguments, learned counsel for petitioners seeks permission to withdraw the criminal petition in respect of petitioner No.1/ accused No.1. Hence, the Criminal

Petition is dismissed as withdrawn in respect of petitioner No.1/
accused No.1

5) Learned counsel for the petitioners mainly submits that even accepting the allegations to be true, the death of the deceased was due to arrangements being made by parents of deceased for performing second marriage of deceased without her consent. The same is opposed by the learned public prosecutor.

6) As seen from the material on record, more particularly the statement of the deceased, one month prior to the incident, the victim left the house of her in-laws and came to her parents' house. During her stay at her parents' house, the parents of the deceased started making arrangements for the second marriage of the deceased without her knowledge and consent. Since the same was to her dislike, she committed suicide.

7) Having regard to these circumstances, the request of the petitioner Nos.2 and 3/ accused Nos.2 and 3 for grant of anticipatory bail can be considered on certain terms and conditions.

Accordingly, the Criminal Petition is partly allowed and the petitioner Nos.2 and 3/ accused Nos.2 and 3 are directed to surrender before the Station House Officer, Nagari Police Station, Chittoor District, within a period of ten days from today and on such appearance, the petitioner Nos.2 and 3/ accused Nos.2 and 3 shall be released on bail on their executing personal bonds for Rs.15,000/- (Rupees fifteen thousand only) each with two sureties for a like sum each to the satisfaction of said Station House Officer

and on a further condition that these petitioners shall report before the Station House Officer, Nagari Police Station, twice in a week i.e., on every Wednesday and Saturday between 10.00 a.m. and 5.00 p.m. for a period of six weeks or till filing charge sheet, whichever is earlier.

JUSTICE C. PRAVEEN KUMAR

06.03.2017
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