

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.10930 of 2017

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused Nos.1 to 4, for grant of anticipatory bail in the event of their arrest in Crime No.407 of 2017 on the file of the Kurnool III Town Police Station, Kurnool District, registered for the offences punishable under Section 304-B read with Section 34 of I.P.C.

2. Heard the learned counsel for the petitioners/accused Nos.1 to 4, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. When the dictation of this order commenced, the learned counsel for the petitioners/accused Nos.1 to 4 wanted to withdraw this Criminal Petition. Since the matter is heard in detail, it is appropriate to dispose of this Criminal Petition on merits.

4. The learned counsel for the petitioners/accused Nos.1 to 4 would submit that the petitioners/accused Nos.1 to 4 are innocent persons and falsely implicated in this case. The deceased, who is the wife of petitioner/accused No.1, is a sensitive girl. She did not allow the accused No.1 to talk to his parents and his brother. When the deceased came to know about the purchase of land by accused No.1 for his parents, she took up a quarrel with accused No.1 and thereafter, she

committed suicide. None of the petitioners/accused Nos.1 to 4 are responsible for committing suicide by the deceased.

5. On the other hand, the learned Additional Public Prosecutor opposed the grant of anticipatory bail to the petitioners/accused Nos.1 to 4.

6. The material on record reveals that the deceased was given in marriage to accused No.1 two years before her death. In the marriage, it is alleged that Rs.30,00,000/- was given in cash and other properties were also given. Thereafter, the accused demanded Rs.5,00,000/- towards additional dowry. Thereafter, the deceased was harassed by the petitioners/accused Nos.1 to 4. There are several instances where the deceased was harassed. Ultimately, the petitioners/accused Nos.1 to 4 have demanded huge amount towards additional dowry. The parents of the deceased expressed their inability to pay huge amount of dowry and sent back the deceased to the company of the accused No.1. The petitioners/accused Nos.1 to 4 did not stop harassing the deceased and ultimately she was taken to her parents' house on 05.10.2017. On the same day, the deceased informed her parents that the petitioner/accused No.1 would not change his attitude and committed suicide by hanging to a ceiling fan. The allegations against the petitioners/accused Nos.1 to 4 are grave. Release of the petitioners/accused Nos.1 to 4 would hinder the investigation. It is not a fit case to allow this application under Section 438 of Cr.P.C.

7. Hence, the Criminal Petition is dismissed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

Dr. SHAMEEM AKTHER, J

22nd November, 2017
Bvv

