

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11964 OF 2017

ORDER:

Heard learned counsel for the petitioner/accused, learned Additional Public Prosecutor for the respondent State and perused the record.

This petition is filed under Section 439 Cr.P.C. for grant of bail to the petitioner/accused in Crime No.185 of 2017 of Ramachandrapuram Police Station, East Godavari District, for the offence punishable under Section 302 IPC.

Learned counsel for the petitioner would submit that the petitioner is an innocent person and falsely implicated in this case. There are no witnesses to the alleged offence. The petitioner is aged person. He is not involved in any other crime. The entire investigation is completed. The ingredients of Section 302 IPC are not made out and ultimately prayed to allow the petition.

Learned Additional Public Prosecutor opposed the grant of bail to the petitioner stating that the petitioner is the father of the deceased Jaya Deepika. The alleged death was caused during the intervening night of 16/17th October, 2017. Petitioner lodged a report with the police stating that he found his daughter in a pool of blood. By the time, when she was taken to the hospital, she died. He also stated that his daughter was having a love affair. Due to anger, his son might have eliminated her. Thereafter, in the course of investigation, the petitioner confessed the commission of offence and he was remanded to judicial custody on 21.10.2017. There is also record to show that the deceased was studying 4th year B.Tech. in KITS Engineering College,

Ramachandrapuram Mandal. She fell in love with one Kunapurreddy Mani Kanta Swamy @ Mani about four years back and their love affair continued. The petitioner/accused found the deceased when she was travelling by motorcycle with her lover on few occasions. The petitioner is also confessed that he consumed liquor, went back to her daughter and beat her with a Teapoy.

It is contended by the learned counsel for the petitioner that the deceased provoked the accused to do so but as per the FIR lodged by the petitioner/accused in this case, he tried to mislead the police and attempted to rope his son into this case. The matter requires thorough investigation. The punishment for the alleged offence may extend to imprisonment for life or death. Release of petitioner would hinder the investigation. There is possibility of winning over the witnesses and causing disappearance of the material evidence. There are no justifiable grounds to allow the petition.

Hence, the Criminal Petition is dismissed.

Dr. SHAMEEM AKTHER, J

12th December, 2017.
ssp