

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.12017 OF 2018

ORDER:

This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C), is filed by the petitioner/accused, for grant of bail in Crime No.123 of 2018 of Tallapudi Police Station, West Godavari District, registered for the offences punishable under Sections 498-A and 306 IPC.

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

3. Learned counsel for the petitioner/accused would submit that though eight years passed after the marriage, there was no single complaint against this petitioner/accused; that the deceased committed suicide in the absence of the petitioner; that the investigation in this case is completed; that the petitioner is in judicial custody more than 60 days and ultimately prayed to allow the bail application.

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

5. The material placed on record discloses that the deceased Durga, who is wife of the petitioner/accused, was mentally and physically tortured by the petitioner and ultimately decided to commit suicide. The offences alleged are grave and the punishment is also stringent. It is a heinous offence. Merely because the wife of

the petitioner did not lodge any complaint within eight years of her marriage, it does mean she was not subjected to mental and physical torture by the petitioner. It shows her conduct. In these circumstances, it is not a fit case to allow the bail application.

6. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions, if any, pending in this petition shall stand closed.

DR.JUSTICE SHAMEEM AKTHER

NOVEMBER 20, 2018
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Date: 20.11.2018

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