

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.2855 of 2019

ORDER :

The petitioner/A.1 has filed the present Criminal Petition under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in Crime No.98 of 2019 of Asifnagar Police Station, Hyderabad, registered for the offences punishable under Sections 498(A), 306 r/w. Section 34 of IPC and Sections 4 and 6 of Dowry Prohibition Act.

This is a case of dowry harassment leading to abetment to commit suicide by the deceased. The case of the prosecution is that, on 04.04.2019 at 16.00 hours, the complainant, who is the father of the deceased – Smt. R. Priyanka, has lodged a written complaint stating that he had performed his younger daughter's marriage with the petitioner/A.1 and six months after the marriage, the petitioner and his family members started harassing the deceased for dowry and caused physical and mental trauma and the same was informed by the deceased to the complainant. Earlier in the year 2018 also, he gave a complaint against the petitioner and his family members before the WPS, CCS, and on the basis of the said complaint, the police have conducted counselling to both the deceased and the petitioner, the matter was compromised and the deceased was sent to the petitioner. Thereafter, the petitioner along with A.2 and A.3, who are inlaws of the deceased, again

started harassing the deceased and due to unbearable harassment and abetment by her husband and inlaws, the deceased had committed suicide by hanging to a ceiling fan in her matrimonial house. Basing on the said complaint, the police of Asifnagar Police Station, Hyderabad, registered the above crime against the petitioner/A.1 and his parents, who are A.2 and A.3, for the aforesaid offences.

Learned counsel for the petitioner/A.1 contends that the petitioner is doing the business of selling milk to meet the needs of his family and that the petitioner is having old aged parents and school going children, who are all dependant on him. Learned counsel for the petitioner/A.1 further contends that the entire case of the prosecution is false and the petitioner is no way connected with the above crime, that material part of investigation is already completed and the petitioner/A.1 is ready to abide by any conditions imposed by this Court, including assisting the investigating agency in the event of his release on bail in the above crime.

On the other hand, the learned Additional Public Prosecutor opposed the above bail application stating that there are serious allegations of dowry harassment against the petitioner and because of the physical and mental harassment caused by the petitioner, the deceased has committed suicide. It is also contended that investigation in the above crime is still in progress and if the petitioner is released on bail, there is every chance of tampering with the

evidence of witnesses and, therefore, the petitioner/A.1 is not entitled for grant of bail.

Heard learned counsel for the petitioner/A.1 and the learned Additional Public Prosecutor appearing for the respondent State.

Admittedly, the deceased had committed suicide in unnatural circumstances in her matrimonial home. Therefore, by taking into consideration the nature of serious allegations made against the petitioner/A.1 and also the gravity of offence, I am not inclined to grant bail to the petitioner/A.1, at this stage.

Accordingly, this Criminal Petition is dismissed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE G. SRI DEVI

13.06.2019.
Msr

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13.06.2016
Msr