

**THE HONOURABLE JUSTICE G. SRI DEVI**

**CRIMINAL PETITION No.2824 OF 2019**

**ORDER:**

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C'), is filed by the petitioner/Accused No.3 for grant of anticipatory bail in the event of her arrest in Crime No.306 of 2018 of Bhupalpally Police Station, Jayashankar-Bhupalapally District, registered for the offences punishable under Sections 498-A and 304-B read with 34 I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961 (for short, 'the Act').

2. Heard learned counsel for the petitioner/Accused No.3 and the learned Additional Public Prosecutor representing the respondent/State. Perused the record.

3. The *de facto* complainant, who is father of the deceased Swathi, lodged a report before the police alleging that the marriage of the deceased with A.1, who is son of the petitioner/A.3, was performed on 08.02.2015; that at the time of marriage, he gave an amount of Rs.1,00,000/- as dowry apart from household articles; that during their wedlock, the deceased and A.1 blessed with a boy; that thereafter, A.1, A.2 and the present petitioner started harassing the deceased physically and mentally for additional dowry; that unable to bear the said harassment, the deceased committed suicide on 30.09.2018 by hanging at her in-laws house; that A.1 and A.2 shifted the deceased to the hospital for treatment, but on the way she succumbed to injuries. Hence, the complaint.

4. Learned counsel for the petitioner/A.3 would submit that the police without looking into the facts and circumstances of the case and without conducting any enquiry, simply charged the accused under Section 498-A and 304-B read with 34 I.P.C and Sections 3 and 4 of the Act though deceased died within seven years of her marriage. He submits that there is no evidence on record that the petitioner/A.3 has abetted or aided or instigated the deceased to commit suicide; that the petitioner is aged about 50 years and suffering from old age ailment and hence, he prays to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed grant of bail to the petitioner/A.3.

6. Admittedly, the deceased died in unnatural circumstances within seven (7) years of her marriage at her in-laws house. Having regard to the nature of allegations levelled and the gravity of offences alleged, I am not inclined to grant bail to the petitioner/A.3. However, the petitioner/A.3 shall surrender before the Court concerned and move an application for regular bail, after giving prior notice to the Public Prosecutor concerned. In the event of filing of such application, the same shall be considered on the same day on such terms and conditions as the said Court deems fit and proper.

7. With the above direction, the Criminal Petition is disposed of.

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

---

**JUSTICE G SRI DEVI**

**JUNE 11, 2019**  
**YVL**

**THE HONOURABLE JUSTICE G. SRI DEVI**



**CRIMINAL PETITION No.2824 OF 2019**

**Date:11.06.2019**

YVL