

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3753 of 2019

ORDER:

The petitioner, who is Accused No.1, has filed the present Criminal Petition under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in Crime No.76 of 2019 of Kanchanbagh Police Station, Hyderabad, pending on the file of VIII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, registered for the offence punishable under Section 304-B of IPC.

This is a case of abetment of suicide of a woman by pouring kerosene on herself and setting herself ablaze due to the mental harassment and torture caused by her husband and other family members for want of additional dowry, which occurred on 25.04.2019, that A.1 used to suspect the character of the deceased-wife, that the victim was subjected to severe mental harassment by her husband, her mother-in-law and co-sister, that basing on the complaint lodged by the father of the deceased, the police registered the above Crime No.76 of 2019 against the petitioner/A.1 and other accused for the aforesaid offence.

Learned counsel for the petitioner/A.1 contends that while investigation is under progress, on 29.04.2019 the petitioner was apprehended from his place of residence and the police are investigating into the case basing on the

confessional statement of the petitioner/A.1. It is further contended that the petitioner is in judicial custody for more than 70 days, that the petitioner hails from a weaker section community and he is a Daily Wage earner. It is further contended that substantial part of investigation is already completed and all the material witnesses have been examined and a formal charge sheet is to be filed. It is contended that the petitioner 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 bail application and contends that the petitioner 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. Perused the material on record.

A perusal of the FIR and the Remand Case Diary reveals that due to the constant harassment inflicted by the petitioner/A.1 and other family members, the victim was burnt to death. Serious allegations are levelled against the petitioner and the deceased was succumbed to the burn injuries within two years of her marriage with the petitioner and she died in unnatural circumstances, while the victim was staying in her in-laws house. It is also specifically mentioned in the FIR that the petitioner, being husband of

the deceased, used to suspect the character of the deceased-wife, apart from causing mental torture to the deceased.

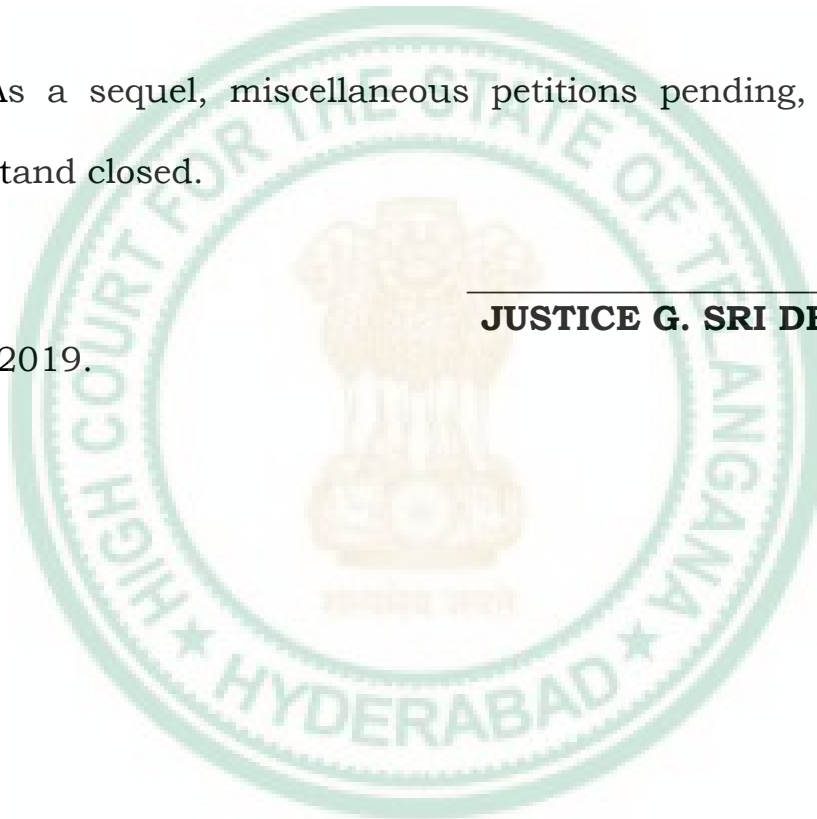
Therefore, by taking into consideration the serious nature of allegations levelled against the petitioner/A.1 and keeping in view the other facts and circumstances of the case, I am not inclined to release the petitioner/A.1 on bail.

Accordingly, this Criminal Petition is dismissed.

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

15.07.2019.
Msr

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Msr