

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3804 of 2019

ORDER :

The petitioner, who is Accused No.1, has filed the present application under Sections 437 and 439 of Cr.P.C., seeking enlargement on bail in Crime No.239 of 2019 of Police Station, RGI Airport, Ranga Reddy District, registered for the offence punishable under Section 304-B r/w. Section 34 IPC.

According to the case of prosecution, on 19.05.2019 at about 3:00 hours, the defacto complainant lodged a written complaint in English, in which he stated that his daughter's marriage was performed with one Raghavender Reddy/A.1. At the time of marriage and as per the demand of A1 and his family members, the defacto complainant gave a sum of Rs.50,00,000/- as dowry and after 10 days of marriage, the family members of A.1 along with his friends Mahender and Raghuvardhan Reddy started his daughter both mentally and physically by demanding additional dowry. On 18.05.2019 at about 8.00 p.m. his daughter died and one Buchi Reddy informed the complainant that his daughter Akshita hanged herself and committed suicide. In the said written complaint, it was also stated that on the date of occurrence at about 7.30 p.m., his daughter informed to his wife on cell phone that her husband, father-in-law, mother-in-law, her elder sister-in-law and friends Mahender and Raghuvardhan Reddy demanded her to bring additional dowry of Rs.10,00,000/- or else they

will kill her. Thus, he requested the Police to take action against the accused. Basing on the said report, a case in Crime No.239 of 2019 was registered under Sections 304-B r/w. Section 34 IPC of RGI Airport Police Station.

Learned counsel for petitioner/A.1 contends that the petitioner is the husband of the deceased and their marriage was an arranged marriage and after marriage, both the couple were living along with the parents of the petitioner. It is also contended that the petitioner is a practicing Advocate and has got bright future in legal profession. It is also contended that there were no differences between the petitioner/A.1 and the deceased, that they went on pilgrimage to several places and that the deceased was always happy with the petitioner and that the petitioner has got great love and affection towards the deceased. It is also contended that just before the alleged incident, both the petitioner and the deceased have attended a family function at Shamshabad. It is also contended that there was no demand of dowry or additional dowry at any point of time by the petitioner or his family members and that the present complaint has been lodged against the petitioner and his family members with all false and baseless allegations without having any prima-facie material on record. It is also contended that material part of investigation has already been completed and that the petitioner is ready to abide by any conditions imposed by this Court for his release on bail and would cooperate with the investigating agency in concluding investigation in the above crime.

On the other hand, the learned Additional Public Prosecutor vehemently opposed the bail application. It is also contended that the post-mortem report of the deceased has already been received and according to the opinion of the Doctor, the death of the deceased occurred due to hanging. It is also contended that the earlier bail application filed by the petitioner was dismissed by this Court vide order dt.25.06.2019 in Crl.P.No.3206 of 2019.

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

As seen from the Remand Case Diary, the marriage of the petitioner with the deceased took place on 02.08.2017 and the deceased died in unnatural circumstances while she was staying in the matrimonial house within two years of her marriage, as the alleged incident took place on 18.05.2019. No proper explanation whatsoever is coming forth from the petitioner under what circumstances the deceased committed suicide in the matrimonial house. It is also revealed that for the last six months since before the death of the deceased, the petitioner/A.1 along with other accused started harassing the deceased on one pretext or other to bring additional dowry of Rs.10,00,000/- from her parental house. Several times, the deceased has narrated the facts to her family members. Even on 18-05.2019 before 1.00 hour of her committing suicide, the deceased has narrated her grief to her mother/LW.2 over

cell phone stating that the accused persons were harassing her mentally and physically to bring more dowry. Thereafter, having vexed with the attitude of all the accused, the deceased has committed suicide on that day at about 20.00 hours by hanging to a ceiling fan. Thus, the death of the deceased caused in unnatural circumstances within two years of her marriage with the present petitioner/A.1. Further, earlier bail application of the petitioner was dismissed by this Court vide order dt.25.06.2019 in Crl.P.No.3206 of 2019 and no new grounds whatsoever have been urged before this Court to enlarge the petitioner on bail.

Thus, considering the gravity of offence and the nature of allegations levelled against the petitioner/A.1 and also taking into consideration the 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 applications pending, if any, shall stand closed.

JUSTICE G. SRI DEVI

16.07.2019.
Msr

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