

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No. 4289 of 2019

ORDER :

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.1, for grant of anticipatory bail in Crime No.179 of 2019 of Matwada Police Station, Warangal Commissionerate, registered for the offence punishable under Section 306 of IPC.

2. Heard learned counsel for the petitioner/A.1, learned Additional Public Prosecutor representing the respondent/State and perused the record.

3. The case of prosecution, in brief, is that on 30.05.2019, the *de facto* complainant, who is the father of the deceased, gave a report alleging that his son (deceased) and the petitioner loved each other and that without any knowledge to him and relatives, they got married in May, 2017. Thereafter, they faced financial problems, due to which, the *de facto* complainant asked them to live in the first floor of his house. Four days back, A.2, who is the mother of the petitioner, came to their house, quarrelled with them and took her daughter by threatening that she will file SC/ST case against all the family members. On that, the deceased and the petitioner met at Hanamkonda public gardens on 29.05.2019, but after some discussion, she left the deceased stating that she will not join with him. The same was informed by the deceased to the *de facto* complainant. On the same night, the deceased committed suicide by hanging to the ceiling fan. Hence, the aforesaid case was registered against the petitioner.

4. Learned counsel for the petitioner would submit that the allegations levelled against the petitioner/A.1 do not constitute the aforesaid offence. The petitioner has not instigated or aided the deceased to commit suicide. The petitioner is suffering with different ailments and she is ready to abide by the conditions imposed by the Court. Hence, he prayed to grant anticipatory bail to the petitioner.

5. Learned Additional Public Prosecutor representing the respondent-State vehemently opposed to grant bail to the petitioner/A.1.

6. As seen from the contents of the FIR, there are allegations against the petitioner that just before committing the suicide, the deceased met the petitioner. Having regard to the nature of allegations levelled against the petitioner/A.1 and the gravity of offence, this Court is not inclined to grant bail to the petitioner/A.1.

7. In the result, the Criminal Petition is dismissed. However, if the petitioner/A.1 surrenders before the Court below concerned and move an application for regular bail within three weeks from today, after giving prior notice to the Public Prosecutor concerned, the same may be considered in accordance with law.

JUSTICE G. SRI DEVI

31.07.2019
ssp