

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4443 of 2019

ORDER :

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973 is filed by the petitioner/Accused seeking enlargement on bail in Crime No.52 of 2019 of Kathlapur Police Station, Jagtial, Karimnagar District, registered for the offences punishable under Sections 498-A and 306 of IPC.

The case of the prosecution as per the Remand Case Diary is that the petitioner/Accused on 30.06.2019 at 07.00 hours picked up a quarrel with the deceased suspecting her fidelity and assaulted her, due to which, having vexed with her life, the deceased committed suicide by hanging. Basing on the complaint lodged by the defacto complainant, who is the mother of the deceased, the police registered Crime No.52 of 2019 for the aforesaid offences against the petitioner.

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

Learned counsel for the petitioner contends that the petitioner is innocent of the alleged offences and he is not at all present in the house when the deceased committed suicide. It is contended that as per the complaint of the defacto complainant, the petitioner came to her village on

30.06.2019 at about 8.00 a.m. and she along with her brother-in-law, named Mahender went to Peggerla i.e., her son-in-law's house, by that time, her daughter committed suicide by hanging, therefore, it cannot be said that the petitioner had committed any act in committing suicide of his wife. It is contended that the petitioner was arrested and sent to judicial custody on 02.07.2019. It is also contended that the investigating officer has examined almost 10 witnesses and entire investigation might have been completed and the petitioner is ready to abide by any conditions imposed by this Court, including assisting the investigating agency for his release on bail in the above crime.

On the other hand, the learned Additional Public Prosecutor vehemently opposed the relief sought in the above petition.

A perusal of the record reveals that there are specific allegations levelled against the petitioner. In view of the specific and serious nature of allegations levelled against the petitioner, I am not inclined to grant bail to the petitioner. However, if the petitioner/Accused moves an application for bail before the Court concerned, after giving prior notice to the Public Prosecutor concerned, the said application shall be considered by the said Court in accordance with law on the same day itself.

With the above observations, this Criminal Petition is dismissed.

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

JUSTICE G. SRI DEVI

05.08.2019.
Msr



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Msr