

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5397 of 2019

ORDER:

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioner/A2, seeking anticipatory bail in Crime No.33 of 2019 of SHO, Sirikonda Police Station, Adilabad District, registered for the offence punishable under Section 306 r/w 34 IPC

2. The case of the prosecution is that on 22.08.2019 at 17.45 hours, the complainant came to police station and lodged a complaint alleging that marriage of his daughter-Saritha was performed with one Sajan. After marriage, they lived amicably for 6 months and thereafter, his son-in-law started torturing his daughter by abusing her in filthy language and he also beat her. His son-in-law was having illegal intimacy with his brother's wife, who is the petitioner herein. On 11.00 hours the complainant came to know that his daughter consumed some unknown pesticide poison at her in-laws house and she was shifted to hospital. On receipt of information, he rushed to the hospital and found his daughter dead. Basing on the complaint, police registered a case for the above offence.

3. Heard learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing for respondent-State.

4. Learned counsel for the petitioner contends that the petitioner is an innocent person and she was falsely implicated in this case. In fact, A1, who is the husband of the deceased is an illiterate person, whereas the deceased was a graduate and studied at Hyderabad and it came to know that she had some love affair during her education at Hyderabad and the de facto complainant and his family members performed the marriage of the deceased with him against her will and wishes and she used to express dislike towards A1 and they never lived happily. The de facto complainant suppressing the love affair of deceased, performed marriage with A1 and he solely responsible for the death of his daughter. The petitioner is having a child, aged 2 years and she has to look after her child. It is further submitted that the petitioner is a permanent resident of Fakeer Nayak Thanda, Wayipet, Sirikonda, Adilabad District. The petitioner is ready to abide by the conditions imposed by this Court if she is released on bail.

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

6. As seen from the contents of the complaint, it is evident that there are specific allegations against the petitioner that A1 is having illicit relationship with the present petitioner and due to their illicit relationship, the deceased is being frequently tortured by her husband and

the present petitioner. The deceased could not bear the torture and having vexed with life, consumed some unknown pesticide poison and later died.

7. Taking into consideration the nature of allegations made against the petitioner and also keeping in view the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions, if any pending shall stand closed.

DATED: 11.09.2019.

Hsd

JUSTICE G. SRI DEVI



