

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5666 of 2019

ORDER :

The petitioner, who is Accused No.1, has filed the present Criminal Petition under Sections 437 and 439 of Cr.P.C., seeking enlargement on bail pending trial in S.C.No.131 of 2019 on the file of Special Judge for the Trial of Cases under SCs and STs (POA) Act-cum-VII Additional Sessions Judge, Ranga Reddy District, registered for the offences punishable under Sections 302, 201, 414, 498-A and 109 of IPC and Section 3(1)(r)(s) and 3(2)(v) of SCs and STs (POA) Act, 2015.

The case of the prosecution is that, on 10.02.2019 at about 10.00 a.m., one Mandala Venkatesham, Revenue Inspector, Girdavar, lodged a written complaint in telugu informing that on information from the villagers of Kondapur, by the Village Revenue Assistant, he along with Village Revenue Assistants, visited the spot in Sy.No.86 of Kondapur Revenue Village and found two burnt dead bodies and that basing on the above complaint, the Inspector of Police, Ghatkesar Police Station, registered a case in Crime No.63 of 2019 for the aforesaid offences, visited the scene of offence, examined and recorded the statements of witnesses, that the mother of deceased No.1 appeared and reported that A.1 murdered the deceased No.1 along with four months son by pouring petrol on both of them and burnt them beyond

recognition at the instigation of the A.4, A.2 and A.3. During the course of investigation, the petitioner/A.1 surrendered before the Ghatkesar Police Station and confessed that on the night of 09.02.2019, he killed his wife and their son and accordingly narrated the story stating that he got acquaintance with deceased No.1 in the year 2009, thereafter they fell in love with each other and both of them got married in November, 2015 at Arya Samaj, Balkampet, that thereafter he along with deceased No.1-wife started leading conjugal life in a rented house at Erragadda, Hyderabad, without informing to the parents of both sides, that in the year 2016, when he went to his parents house, who brought marriage alliance, on coming to know about the same, deceased No.1 quarrelled with him and also informed to her mother about their marriage, who inturn, informed to his parents by showing the marriage photos, that on receiving a call from his parents, he again went to his village, where his parents questioned him as to why he performed the marriage with a SC community girl/deceased No.1 and warned him that they will not allow deceased No.1 in their house, that thereafter quarrels ensued between the petitioner and deceased No.1 and that deceased No.1 used to force him to take her to his village, that after delivery of a male child in November, 2018, both of them started staying separately, that deceased No.1 frequently used to call him on phone and forced him to take herself and her son to their house, which was not agreed to by his parents, that because of the continuous demands

made by deceased No.1, the petitioner hatched a plan to eliminate his wife and marry another girl and accordingly telephoned to deceased No.1 on 09.02.2019 morning and asked her to come down to Hyderabad, who accordingly came down to Uppal along with deceased No.2 from where the petitioner took them on his motor cycle initially to Ghanapur, where deceased No.1 threatened him to commit suicide by taking sleeping pills if she is not allowed to stay with him and consumed two sleeping pills, that at about 9.00 p.m., when deceased No.1 went into unconscious state, the petitioner took her to the forest area existing on the back side of HPCL and killed her and her son by throttling their neck and after confirming that both of them died, he got relieved the ornaments from the person of his wife, brought petrol, poured on his wife and son and burnt them beyond recognition and went to his native place, that because of fear, on 10.02.2019 he along with the ornaments of his wife went to Palakurthy Police Station and surrendered himself, who inturn brought him and handed over him to Ghatkesar Police on 10.02.2019 and in pursuance of his confession, the gold ornaments of deceased No.1, so also the motor cycle were seized in the presence of witnesses.

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

Learned counsel for the petitioner/A.1 contends that A.1 and deceased No.1 are living separately at Hyderabad

since the date of their marriage and they never visited the house of their parents. It is also contended that the petitioner always treated deceased No.1 with love and affection and A.2 to A.4 were already released on bail. It is also contended that this is the second bail application of the petitioner and the first bail application of the petitioner was already dismissed by this Court vide order dt.05.07.2019 in Crl.P.No.3526 of 2019. It is contended that the petitioner is ready to abide by any of the conditions imposed by this Court in the event of his release on bail.

On the other hand, the learned Additional Public Prosecutor vehemently opposed the application and contends that the charge sheet has already been filed in the above crime and the petitioner is not entitled for grant of bail.

A perusal of the record reveals that the first bail application of the petitioner was already dismissed by this Court on merits vide order dt.05.07.2019 in Crl.P.No.3526 of 2019 and no new grounds whatsoever have been urged in the present petition and hence the present Criminal Petition deserves no consideration.

Accordingly, this Criminal Petition is dismissed. Since charge sheet has already been filed and numbered as S.C.No.131 of 2019 on the file of Special Judge for the Trial of Cases under SCs and STs (POA) Act-cum-VII Additional Sessions Judge, Ranga Reddy District, the trial Court is directed to expedite hearing of the case and conclude the trial

as early as possible, preferably within a period of six months from the date of receipt of a copy of this order, without giving any unnecessary adjournments to either parties.

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

JUSTICE G. SRI DEVI

18.09.2019.
Msr



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18.09.2019
Msr