

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5859 of 2019

ORDER :

Petitioner, who is the accused in Cr.No.275 of 2019 on the file of the S.H.O. Ghatkesar Police Station, Rachakonda District, registered for the offence punishable under Section 304-B IPC, filed this petition under Sections 437 and 439 Cr.P.C. seeking regular bail.

2. Heard learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent State.

3. Learned counsel for the petitioner submits that the police implicated the petitioner in this case without doing any proper investigation. As a matter of fact, the petitioner never harassed the deceased-Thoram Sindhu nor demanded any dowry and in turn he treated her in a good manner, as they only lived for a period of six days and hence, the harassment towards the deceased for additional dowry during the stay at her mother's house is a myth and does not arise. He further submits that the marriage of the petitioner might have performed with the deceased against her wish and by using undue influence by her family members, for which she was compelled to commit suicide. He further submits that the parents of the deceased have given a false statement to the police claiming that the petitioner demanded additional dowry. He further submits

that the petitioner is a law abiding citizen and the police have falsely implicated the petitioner at the instance of the family members of the deceased. He further submits that if the petitioner remains in judicial custody for further period, his health and mental condition will be worsened. He further submits that the petitioner is ready to furnish solvent sureties to the satisfaction of the Court and hence, he prays to grant bail to the petitioner.

4. On the other hand, the learned Additional Public Prosecutor representing the State vehemently opposed the bail application.

5. As seen from the contents of the remand report, there are specific allegations against the petitioner that the marriage of the petitioner with the deceased was performed only on 19.02.2019 at Annavaram Temple, in the presence of elders and after the marriage, the petitioner and the deceased stayed for two days and thereafter, the petitioner had gone to Hyderabad informing the deceased that he will take the deceased with him after getting the job. Thereafter, he did not take the deceased to the house. However, on 09.04.2019, the petitioner went to the house of the parents of the deceased and informed that he has already reserved the tickets for the return journey to Hyderabad on 10.04.2019 through Falaknuma express train and demanded them to give additional dowry of

Rs.5 lakhs to take the deceased with him, for which L.W.3 pleaded him and informed that very recently they performed the marriage of the deceased with him and that they will arrange the demanded amount after some time for which, the petitioner got annoyed and harassed the deceased alleging that she is not beautiful and he married her for less dowry and he had to purchase a house at Hyderabad, for which he needs money. When the deceased expressed her willingness to go out along with him, he refused her and when the deceased tried to move closely with him, he neglected her demanding additional dowry. On 10.04.2019, the deceased along with the petitioner boarded Falaknuma express train in their reserved berths. On the next day, father of the petitioner informed L.W.4 that the accused alone returned home and further informed that his sister fell down from the moving train. Thereafter, the parents of the deceased were informed by L.W.3 that the deceased was found lying dead on the railway track with injuries in between Ghatkesar and Bibinagar railway track. Therefore, from the contents of the remand report, it is clear that the death of the deceased was occurred in unnatural circumstances, which is within 2 months from the date of her marriage and at the time of the death of the deceased, the petitioner was also traveling along with the deceased.

6. Thus, looking into the nature of allegations leveled against the petitioner and involvement of the petitioner in the crime, I am not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Petition is dismissed.

JUSTICE G. SRI DEVI

DATED: 14.10.2019.

Hsd



