

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.6699 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/A3, seeking to grant anticipatory bail in Cr.No.107 of 2019 on the file of Shahinayathgunj Police Station, Hyderabad, registered for the offence under Section 304-B IPC.

2. Heard learned counsel for the petitioner/A3, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The case of the prosecution is that the marriage of 4th daughter of the de-facto complainant was performed with A1 on 15.05.2015 and after some time, A1 along with the other accused used to harass his daughter mentally and physically for additional dowry, due to which, his daughter stayed with him for about 7 to 8 months, and that on 30.04.2019, A1 took his daughter by promising that he would look after her happily, but on 27.05.2019 at 10.00 hours, due to unbearable harassment of the accused, his daughter committed suicide by hanging.

4. Learned counsel for the petitioner/A3 submits that the petitioner/A3 is brother of A1 in this case and he never harassed the deceased and his name has been implicated falsely with an intention to harass him. He further submits that even as per the prosecution case, there is no allegation against the petitioner to attract the alleged offence and that the entire story of the prosecution is concocted and fabricated. He further submits that the petitioner is

law abiding citizen and is ready and willing to abide by the condition imposed by this Court.

5. Learned Additional Public Prosecutor opposed the relief sought in the petition.

6. As seen from the contents of the remand report that there are specific allegations against the petitioner and other accused that due to unbearable regular mental and physical harassment for dowry by her husband A1, mother-in-law-A2 and brother-in-law-A3, the deceased stayed in the house of the de-facto complainant for about 7 to 8 months, and that on 30.04.2019, A1 took his daughter to his residence promising to look after her happily and he would not ask any dowry. But, on 27.05.2019 at 11.00 hours, A1 made a phone call informing that his daughter committed suicide by hanging at her in-laws house. The petitioner/A3 was absconding from the scene of offence immediately after the occurrence. Thus, in view of the nature of allegations leveled against the petitioner/A3, this Court is not inclined to grant anticipatory bail to him and his prayer for anticipatory bail is refused. However, if the petitioner/A3 surrenders before the trial Court within 15 days from today and moves an application for bail, the trial Court may consider the same in accordance with law on the same day.

7. With the above directions, the Criminal Petition is dismissed.

8. Miscellaneous applications, if any pending in this criminal petition, shall stand dismissed.

G. SRI DEVI, J

30th October, 2019
sj