

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.6944 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/accused, seeking to grant anticipatory bail in Cr.No.691 of 2019 on the file of Jawaharnagar Police Station, Rachakonda District, registered for the offence under Section 306 IPC.

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

3. It is alleged in the complaint that previously, the engagement of the daughter of the de-facto complainant was held with the petitioner, but thereafter, he denied to marry her, due to which, her daughter lodged a complaint for cheating in the month of April, 2019, and that on 08.10.2019, the accused sent whatsapp message to the son of the de-facto complainant stating that his marriage is to be held with one Divyaveni at Penchilkona Temple, Nellore District, and invited to attend his marriage. On seeing that message, the daughter of the de-facto complainant consumed Hit poison on 11.10.2019 and while undergoing treatment, she died on 13.10.2019.

4. Learned counsel for the petitioner/accused submits that the petitioner is not responsible for the death of the deceased and that due to latches on the part of the family of the de-facto complainant,

the marriage was not performed as agreed and because of the said delay, the marriage was cancelled with the consent of both the parties and the elders. He further submits that the anticipatory application filed by the petitioner before the Court below was dismissed vide order dated 28.10.2019 in CrI.M.P.No.5192 of 2019 in Cr.No.691 of 2019. He further submits that the petitioner has no criminal antecedents and he is a permanent resident of Medchal, Malkajgiri District, and he shall abide by any condition imposed by this Court.

5. Learned Additional Public Prosecutor vehemently opposed the bail application.

6. As seen from the contents of the FIR, there are specific allegations against the petitioner that after registering the previous complaint filed by the deceased in Cr.No.225 of 2019 on the file of Jawaharnagar Police Station, Rachakonda District, for the offence under Section 420 IPC, the petitioner promised to marry her. However, when she came to know about the marriage of the petitioner with one Divyaveni, the deceased committed suicide by consuming Hit poison on 11.10.2019 and succumbed to the same on 13.10.2019. Thus, in view of the nature of allegations leveled against the petitioner, this Court is not inclined to grant anticipatory bail to him and his prayer for anticipatory bail is refused.

7. Hence, the Criminal Petition is dismissed.

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

G. SRI DEVI, J

14th November, 2019.

sj

