

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.297 of 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.2 seeking to grant anticipatory bail in the event of his arrest in Crime No. 618 of 2019 on the file of Raidurgam Police Station, Ranga Reddy District, registered for the offences punishable under Sections 498-A and 306 read with Section 34 IPC.

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

3. Learned counsel for the petitioner submitted the petitioner has been falsely implicated in the present case; the de facto complainant foisted a false case with an intention to harass the petitioner; that the petitioner has never interfered with the personal affairs of accused No.1 and the deceased at any point of time nor demanded any dowry or harassed the deceased in this regard. Learned counsel further submitted that the petitioner is a law abiding citizen and is ready to abide by any conditions that may be imposed by this Court in the event of her enlargement on anticipatory bail.

4. Learned Additional Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioner and submitted that the deceased was found dead in the house of her in-laws house within 1½ years of her marriage and she was subjected to mental and

physical cruelty by the petitioner and the other accused. Hence, the petitioner is not entitled for anticipatory bail.

5. Perused the contents of the complaint, wherein it has been specifically mentioned that the present petitioner and the other accused i.e., accused No.3 used to live in the same building in the ground floor; all the accused used to harass the deceased mentally and physically and suspecting her on every petty issue; that the petitioner also abused her several times and she used to interfere between the deceased-wife and accused No.1-husband and used to instigate her son; that on the date of occurrence, though the de facto complainant phoned to the deceased several times, she did not lift and as such, she called her another daughter asking to go to the house of the deceased; that at about 1.15 pm, her another daughter called the de facto complainant and told that her elder daughter (the deceased) was found dead hanging to ceiling fan in her bed room.

6. If at all the petitioner was also staying in the same building of the deceased in another floor, she could have informed the de facto complainant about the incident which was not done by the petitioner.

7. Thus, looking into the nature of allegations levelled against the petitioner, her conduct in not informing the parents of the deceased about her death and the role played by her in instigating accused No.1 against the deceased, I am not inclined to grant anticipatory bail to the petitioner.

8. The Criminal Petition is accordingly dismissed. However, the petitioner is directed to surrender before the Court concerned and

move an application for bail, upon which, the Court below shall consider the same and pass appropriate orders in accordance with law.

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

27th January, 2020
dr

JUSTICE G.SRI DEVI

