

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.315 of 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/accused, seeking to grant anticipatory bail to him in Cr.No.385 of 2019 on the file of Sultanabad Police Station, Peddapalli District, registered for the offences under Sections 498-A, 306 IPC and under Section 4 of Dowry Prohibition Act.

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

3. The case of the prosecution is that the daughter of the de-facto complainant has committed suicide by hanging herself due to the harassment caused by the accused by demanding additional dowry of Rs.3,00,000/- from her parents.

4. Learned counsel for the petitioner/accused submits that the petitioner and the deceased lived together for six months after their marriage and as the mental condition of the deceased was not good, she made attempts to commit suicide and the petitioner rescued her and later, her mother took the deceased to Psychiatrist and after discharge from the hospital, the deceased went to her parents' house and she never returned back to his house. He further submits that the petitioner filed O.P.No.10 of 2016 on the file of Senior Civil Judge, Karimnagar, for dissolution of marriage. He further submits that the deceased also filed D.V.C.No.11 of 2018 against the petitioner and his family members. He further submits that as the

deceased was living separately, the petitioner is no way connected with the alleged commission of suicide and a false complaint has been lodged against him. He further submits that the petitioner shall abide by any 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 FIR, the petitioner/accused harassed the deceased mentally and physically by demanding additional dowry of Rs.3,00,000/- and also threatened her to give divorce. During panchayat before the elders also, the petitioner demanded the deceased and her parents for additional dowry and due to unbearable harassment, she committed suicide. Thus, in view of the nature of allegations leveled against the petitioner/accused, I am not inclined to grant anticipatory bail to him and his prayer for anticipatory bail is refused. However, if the petitioner/accused surrenders before the trial Court within 15 days from today and files an application for bail, the trial Court shall consider the same in accordance with law after giving due notice to the Public Prosecutor.

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

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

27th January, 2020
sj

G. SRI DEVI, J