

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 9480 of 2021

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused No.1 in Crime No. 364 of 2021 of Chikkadpally Police Station registered for the offences punishable under Sections 304-B, 498-A read with Section 34 IPC. and Sections 3 and 4 of Dowry prohibition Act, seeking bail.

2. The case of prosecution is that on 01.10.2021 at 14.30 hours, police received a complaint from Smt. B. Jyothi, wherein it is stated that her second daughter B. Sravani was first given in marriage to Sri Mohan, who committed suicide due to financial problems. It is alleged that later, complainant performed her marriage with petitioner after informing about the first marriage. However, since then, mother-in-law of her daughter started harassing her for additional dowry. While the things stood thus, on 30.09.2021, petitioner informed that her daughter fainted, hence, she brought her to their house. On 01.10.2021, at about 12.00 hours, unable to bear the harassment, daughter of complainant committed suicide at the house of complainant.

3. Learned counsel for petitioner Sri Pramod Singh submits that even as per the case of prosecution, deceased was suffering from epilepsy and suffered attack on 28.09.2021 and 05.10.2021. It is stated that when complainant took her daughter to their house, there she committed suicide. Learned counsel submits that all the allegations are against the mother-in-law and absolutely, there are

no allegations against Accused No.1. It is submitted that this Court, by order dated 09.12.2021 in Criminal Petition No. 9036 of 2021, granted bail to Accused No.2 i.e. mother of petitioner herein. He submits that for the last 80 days, petitioner has been languishing in jail, hence, his case may be considered for grant of bail.

4. On the other hand, learned Assistant Public Prosecutor submits that there are allegations against petitioner also. He submits that so far, ten witnesses were examined and investigation is in progress, hence, at this stage, petitioner is not entitled for grant of bail.

5. Taking into consideration the fact that there are no specific overt acts against petitioner and all the allegations are against Accused No.2 – mother –in-law, as petitioner has been languishing in jail from the last 80 days and as Accused No.2 has already been granted bail by this Court on 09.12.2021, this Court deems it appropriate to grant bail to petitioner also.

10. The Criminal Petition is therefore, allowed. Petitioner – Accused No.1 shall be enlarged on bail in connection with Crime No. 364 of 2021 of P.S. Chikkadpally on his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of IX Additional Chief Metropolitan Magistrate, Hyderabad.

LALITHA KANNEGANTI, J

21st December 2021

ksld

