

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION NO.9794 OF 2021

ORDER:-

This petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking pre-arrest bail to the petitioners/A.2 to A.4 in the event of their arrest in connection with Crime No.407 of 2021 of Mushirabad Police Station, Hyderabad, registered for the offences punishable under Sections 498-A and 304-B of the Indian Penal Code, 1860 (for short 'IPC') and Sections 3, 4 and 6 of the Dowry Prohibition Act.

2. A report was lodged by the *de facto* complainant stating that he performed the marriage of his daughter with A.1 on 15.05.2019. His daughter committed suicide by hanging to a ceiling fan on 02.11.2021 due to mental torture, harassment and abused caused by her husband, father-in-law and sisters-in-law. Basing on the report, the present crime is registered.

3. Heard Mr.B.Swarna Latha, learned counsel for the petitioners, and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioners submits that in the entire complaint, there are no allegations against these petitioners. Petitioner Nos.2 and 3/A.3 and A.4 are residing at Shapur and Pedda Amberpet respectively and they have nothing to do with the family affairs of the deceased and A.1. In the complaint, it has been stated that the husband of the deceased harassed her and not able to bear such harassment, she has committed suicide. Having

stated so, at the end of the complaint, it is stated that these petitioners have also harassed the deceased and as such she has committed suicide. None of the allegations in the complaint do not attract either offence under Section 498-A IPC or 304-B IPC or Sections 3, 4 and 6 of the Dowry Prohibition Act. The petitioners have been implicated in this case falsely. Hence, the petitioners' case may be considered for grant of pre-arrest bail.

5. Learned Assistant Public Prosecutor submits that investigation is still pending and at this stage, the petitioners are not entitled for pre-arrest bail.

6. Taking into consideration fact that there are no specific overt acts against these petitioners in the entire complaint, this Court deems it fit to grant pre-arrest bail to the petitioners.

7. Accordingly, this Criminal Petition is allowed. Petitioners/A.2 to A.4 shall surrender before the Station House Officer, Mushirabad Police Station, Hyderabad, in connection with Crime No.407 of 2021 within one week from today and on such surrender and executing personal bonds for a sum Rs.20,000/- (Rupees twenty thousand only) each with two sureties for a like sum each to the satisfaction of the said Station House Officer, they shall be released on bail. It is made clear that no further extension of time will be granted.

Consequently, miscellaneous applications pending, if any, shall stand closed.

LALITHA KANNEGANTI, J

Date :28.12.2021
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