

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.604 of 2022

ORDER

This petition is filed under Section 438 of the Code of Criminal Procedure, 1973, seeking pre-arrest bail to the petitioners/A.2 to A.4 in the event of their arrest in connection with Crime No.3 of 2022 of Jharasangam Police Station, Sangareddy District, registered for the offence punishable under Section 304-B IPC.

2. The case of prosecution is that A1, at the instigation of A2 to A4, has harassed the daughter of de-facto complainant mentally and physically by demanding additional dowry and that on 05.01.2022 at 11.00 hours, the accused told him that his daughter has committed suicide by hanging with her scarf from roof top iron pipe, but they are suspecting that the accused have murdered his daughter. Hence, he filed a complaint before the police.

3. Learned Counsel for the petitioner Mr. K. Jamali, submits that A2 and A3 are parents and A3 is sister of A1, and even as per the complaint, it is only suspicion of the de-facto complainant. He submits that A3, who is the sister of A1, has nothing to do with the family affairs of A1 and she is residing in a different village and even A2 and A3 are not residing in the same house along with A1. Learned counsel submits that there are no specific overt acts against the petitioners and only omnibus allegations are made against them. He further submits that A2 is suffering with mouth cancer and he has also filed documents in support of the same and hence, their case may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor submits that there are clear specific overt acts against the petitioners attracting the offence under Section 304-B IPC and further, the investigation is pending and so far, 6 witnesses were examined.

5. In view of the allegations leveled against the petitioners and taking into consideration the condition of 1st petitioner/A2, who is suffering with mouth cancer, and the 3rd petitioner/A3, who is sister of A1, is residing in a separate house, this Court deems it appropriate to grant pre-arrest bail to the petitioners/A2 to A4.

6. Accordingly, this Criminal Petition is allowed. Petitioners/A.2 to A.4 shall surrender before the Station House Officer, Jharasangam Police Station, Sangareddy District, in connection with Crime No.3 of 2022 within one week from today and on such surrender and executing personal bonds for 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.

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

9th February, 2022

sj

LALITHA KANNEGANTI, J

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Date:09.02.2022

sj