

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.1303 of 2022

ORDER:

This petition is filed under Section 438 of the Code of Criminal Procedure, 1973, seeking bail to the petitioners/A3 to A6 in the event of their arrest in connection with Crime No.22 of 2022 of Chandanagar Police Station, Cyberabad District, registered for the offences punishable under Section 304-B read with 34 IPC.

2. The case of prosecution is that the de-facto complainant has lodged a report stating that A1, at the instigation of the other accused, has harassed her daughter i.e., deceased Bhavana, physically and mentally by demanding additional dowry and also beat her for additional dowry, and that on 22.09.2021, as her daughter gave birth to a baby girl, A1 has demanded additional dowry and also threatened to give divorce if they did not give share amount in the retirement benefits of her husband, and unable to bear such harassment, her daughter has committed suicide by falling from the apartment building.

3. Learned Counsel for the petitioners Mr.E. Sudhanshu Rao, submits that the 1st petitioner/A3 is maternal uncle of A1, 2nd petitioner/A4 is wife of 1st petitioner, 4th petitioner/A6 is junior maternal aunt of A1 and the 3rd petitioner/A5 is her husband, and in the entire complaint, all the allegations are against A1 and there are no specific overt acts against the petitioners and only omnibus allegations are made against them. He further submits that even if all the allegations are taken on its face value, the ingredients of Section 304-B IPC are not attracted against the petitioners. Learned counsel submits that in view of the differences between A1 and the deceased, entire family members were roped in the present crime. Learned counsel further submits that the petitioners have nothing to do with the family affairs of A1 and they are staying separately from

A1, just because they are related to A1, they have been implicated in this case 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 allegations against the petitioners and due to unbearable harassment made by all the accused, the deceased has committed suicide. He submits that the investigation is pending and so far, 8 witnesses were examined and in view of the allegations in the complaint, the petitioners are not entitled for pre-arrest bail.

5. Taking into consideration the allegations in the complaint, where there are no specific overt acts against these petitioners, this Court deems it appropriate to grant pre-arrest bail to the petitioners/A3 to A6.

6. The Criminal Petition is allowed. Petitioners – Accused Nos.3 to 6 shall surrender before the Station House Officer, Chandanagar Police Station, Cyberabad District, in connection with Crime No.22 of 2022 within one week from today and on such surrender and executing a personal bond 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.

LALITHA KANNEGANTI, J

17th February, 2022

sj

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.1179 of 2022

Date:15-02-2022

sj