

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 9292 OF 2021

ORDER:

This Criminal Petition under Section 438 Cr.P.C. is filed by petitioner – Accused No. 1 seeking bail in the event of her arrest in connection with Crime No. 149 of 2021 on the file of Mavala Police Station, Adilabad District registered for the offence punishable under Section 306 read with Section 34 IPC.

2. The case of prosecution is that on 13.10.2021, at about 12.00 hours, complainant lodged a report stating that his elder son namely Kamble Sanjeev (deceased) married petitioner– Accused No.1 and were blessed with two sons. It is alleged that since one year, petitioner tortured deceased and in that regard, counselling was also held at Indervelli Police Station. It is further alleged that on 12.10.2021, petitioner and her brother beat deceased, and unbearable with the torture, he committed suicide by consuming poison and died on 13.10.2021.

3. Learned counsel for petitioner Sri R. Mangulal submits that a complaint was lodged stating that petitioner along with her brother harassed the deceased, who is none other than the husband of petitioner and not able to bear such harassment, the deceased committed suicide. He further submits that it is also stated in the complaint that earlier, counselling was given and there are only simple disputes between wife and husband and it cannot be alleged that petitioner instigated or abetted the deceased to commit suicide. Learned counsel submits that petitioner has two children and she had already lost her husband

and she has to take care of the children. It is stated that petitioner is a government employee and she is the only bread winner of the entire family and if she is arrested, she will lose her job, hence, her case may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor submits that Accused No.2 was already arrested and enlarged on bail. He submits that unable to bear the harassment meted out by the accused, deceased committed suicide and investigation is still in progress, hence, petitioner is not entitled for grant of pre-arrest bail.

5. Taking into consideration the fact that deceased and petitioner are husband and wife and it is stated that certain disputes were there between them and counseling was also given and petitioner has two children to support, this Court deems it appropriate to grant pre-arrest bail to her.

6. Accordingly, this Criminal Petition is allowed. Petitioner – Accused No. 1 shall surrender before the Station House Officer, Mavala Police Station in connection with Crime No. 149 of 2021 within one week from today and on such surrender and on her executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, she shall be released on bail. It is made clear that no further extension of time will be granted.

LALITHA KANNEGANTI, J

