

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.9444 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioners who are arrayed as Accused Nos.2 and 3 in the event of their arrest in Crime No.167 of 2022 on the file of Station House Officer, Kushaiguda Police Station, Rachakonda, registered for the offence punishable under Section 304-B of Indian Penal Code.

2. Heard learned counsel for petitioners and learned Additional Public Prosecutor for respondent-State. Perused the record.

3. The facts of the case in brief are that upon the death of the daughter of the *de facto* complainant was reported to the police alleging that the deceased was married on 17.02.2022 and she committed suicide in her house on 23.02.2022. The marriage of her daughter was performed with Accused No.1 by giving dowry on 17.02.2022. On 21.02.2022, these petitioners allegedly arranged first night, though the deceased resisted. It is also mentioned in the remand report that these petitioners stated that the deceased parents did not provide sufficient dowry as required by them. On

the very next day the deceased went to the house of her parents' house, where she committed suicide.

4. Even according to the remand report, there are no allegations against these petitioners to infer an act of cruelty. For the reason of the suicide taking place within five days of the marriage and the deceased not staying with these petitioners at any point of time, the relief of anticipatory bail can be considered.

5. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.2 and 3 shall be enlarged on bail in the event of their arrest subject to the following conditions:

i) The petitioners/Accused Nos.2 and 3 are directed to surrender before the Station House Officer, Kushaiguda Police Station, Rachakonda within ten (10) days from today, and on such surrender, they shall be enlarged on bail on their executing personal bonds for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties for a like sum each, to its satisfaction.

ii. On such release, the petitioners/Accused Nos.2 and 3 shall appear before the investigating authorities as and when required.

iii. The petitioners/Accused Nos.2 and 3 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, if any, pending shall stand closed.

K.SURENDER, J

Date: 01.11.2022
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