

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.9533 OF 2022****ORDER:**

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure (for short "Cr.P.C") seeking regular bail to the petitioners who are arrayed as Accused Nos.1 to 3 in Crime No.100 of 2022 pending on the file of Station House Officer, Mutharam Police Station, Peddapalli District registered for the offences punishable under Sections 304-B and 498-A of Indian Penal Code (IPC) and Section 4 of Dowry Prohibition Act (DP Act).

2. Heard learned counsel for the petitioners/Accused Nos.1 to 3 and learned Additional Public Prosecutor for the respondent-State. Perused the record.

3. Briefly the facts of the case are that upon the death of the daughter of the *de facto* complainant, he reported to the police alleging that the marriage of his elder daughter was performed with 1st petitioner/Accused No.1 on 22.11.2019. At the time of marriage, a dowry of Rs.2,00,000/- cash was given, apart from the cash, gold ornaments and other house hold articles etc., were also given.

4. The main allegation is that Accused No.1 started harassing the deceased saying that he was in love with another woman and was also having affairs. Since there was a due of Rs.3,00,000/- dowry which was accepted at the time of marriage and failure to give the said Rs.3,00,000/-, Accused No.1 started harassing the deceased. Unable to bear the harassment of the petitioners, the deceased went to her parents house and committed suicide.

5. As seen from the remand report, all the allegations of harassment are specifically attributed to Accused No.1 and the allegation against Accused Nos.2 and 3 is that they have abetted the Accused No.1. In the absence of any specific allegations against 2nd and 3rd petitioners/Accused Nos.2 and 3, they can be granted the relief of regular bail.

6. Accordingly, 2nd and 3rd petitioners/Accused Nos.2 and 3 are granted bail subject to the following conditions:

i) The 2nd and 3rd petitioners/Accused Nos.2 and 3 shall execute personal bonds for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties for a like sum each, to the satisfaction of Judicial Magistrate of First Class at Manthani.

ii) The 2nd and 3rd petitioners/Accused Nos.2 and 3 shall appear before the investigating authorities as and when required for the purpose of investigation.

iii) The 2nd and 3rd petitioners/Accused Nos.2 and 4 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

7. The Criminal Petition in so far as 1st petitioner/Accused No.1 is concerned for grant of bail, is dismissed. However, the 1st petitioner/Accused No.1 is at liberty to move this Court under charged circumstances.

8. Accordingly, the Criminal Petition is partly allowed.

Miscellaneous applications, pending if any, shall stand closed.

Date: 07.11.2022
ns

K.SURENDER, J