

HON'BLE Dr.JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.11239 of 2022

ORDER:

1. Heard Sri P.Ashok Goud, learned counsel who is representing Sri P.Shashidhar Reddy, learned counsel on record for the petitioners as well as the learned Additional Public Prosecutor who is representing the Respondent-State.

2. This Criminal Petition, under Section 438 Cr.P.C., is filed seeking for pre-arrest bail in favour of the petitioners, who are arrayed as Accused Nos.2 & 3 in Crime No.201 of 2022 of Peddavoora Police Station, Nalgonda District.

3. Making his submission, learned counsel for the petitioners contends that the petitioners are the parents of Accused No.1. Learned counsel submits that Accused No.1 was arrested and was enlarged on bail by the Sessions Court and the entire investigation is also completed. Learned counsel also states that Accused No.1 fell in love with the daughter of the *de facto* complainant and both got married and therefore, the petitioners demanding either

dowry or additional dowry does not arise at all and therefore, pre-arrest bail may be granted.

4. On the other hand, the submission of the learned Additional Public Prosecutor is that the petitioners have committed offences punishable under Section 498-A IPC and also Section 306 IPC. As per the material available on record, the daughter of the *de facto* complainant committed suicide by consuming insecticide poison. Learned Additional Public Prosecutor, during the course of submission, stated that sixteen witnesses were examined till now. Therefore, it is clear that the material part of investigation is completed. Further, as per the contents of the complaint itself, it is clear that the marriage between Accused No.1 and the daughter of the *de facto* complainant is a love marriage.

5. Therefore, taking into consideration all these aspects, this Court is of the view that the request of the petitioners can be honoured, however, conditionally.

6. In the result, the Criminal Petition is allowed with the following conditions:

- (i) The petitioners/Accused Nos.2 & 3 are directed to surrender before the concerned Court within ten (10) days. On such surrender, they shall be enlarged on bail on their executing a personal bond for Rs.40,000/- (Rupees Forty Thousand only) each with two sureties for like-sum each to the satisfaction of the Court concerned. The sureties are directed to submit their two latest passport size photographs at the time of furnishing solvency. One such photograph is ordered to be pasted in the Surety Register against the name of the surety. The other photograph shall be kept in the case record concerned.
- (ii) The petitioners/Accused Nos.2 & 3 shall report before the Station House Officer, Peddavoora Police Station, Nalgonda District, on every Monday between 10.30 a.m. and 12:00 p.m. till filing of final report.
- (iii) The petitioners/Accused Nos.2 & 3 should not involve in any unlawful activity.
- (iv) The petitioners/Accused Nos.2 & 3 should afford all assistance for the proper investigation of the case.
- (v) The petitioners/Accused Nos.2 & 3 should not cause the evidence of the offence disappear.

- (vi) The petitioners/Accused Nos.2 & 3 should not tamper with the evidence in any manner.
- (vii) The petitioners/Accused Nos.2 & 3 should not by way of inducement, threat or promise, dissuade any person who is acquainted with the facts of the case, from disclosing such facts to the Court or to the Police Officer.
- (viii) In case the petitioners/Accused Nos.2 & 3 hold a passport, they shall surrender the same.
- (ix) The petitioners/Accused Nos.2 & 3 should ensure their presence whenever required by the Court or Police.
- (x) The petitioners/Accused Nos.2 & 3 shall not leave India without previous permission of the Court concerned.
- (xi) The petitioners/Accused Nos.2 & 3 shall file an affidavit before the Court concerned disclosing the following particulars:-
 - (1) Contact number
 - (2) Mail address
 - (3) Residential particulars.

In case, there is any change of the aforementioned details, the petitioners shall intimate the Court concerned by giving a fresh affidavit duly mentioning the change. They shall continue to do so till filing of the final report.

Any deviation of the above conditions would entitle the respondent to take appropriate steps for cancellation of the pre-arrest bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date:29.12.2022
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HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.11239 of 2022

Date:29.12.2022

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CIVIL REVISION PETITION No.3578 of 2018

27.12.2021

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