

THE HON'BLE SMT. JUSTICE M.G.PRIYADARSINI

CRIMINAL PETITION No.11345 OF 2022

ORDER:

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 seeking to enlarge the petitioner/Accused No.1 on bail in connection with Crime No.391 of 2022 pending on the file of Bhongir Rural Police Station, Yadadri Bhongir District, wherein the petitioner is alleged to have committed the offences punishable under Sections 498-A, 306, 324 read with Section 34 of the Indian Penal Code.

2. Heard learned counsel for the petitioner/Accused No.1 as well as learned Additional Public Prosecutor representing the respondent-State. Perused the record.

3. The case of the prosecution is that on 14.11.2022 at 19.36 hours, the Police, Bhongir Rural Police Station, received a complaint from Dharavath Laxmi, W/o.Neelya, who is mother of the deceased Kethavath Sujatha, wherein she stated that they have performed the marriage of the deceased with Accused No.1 and at the time of marriage they have given cash of Rs.80,000/- and household articles. During the wed-lock, they were blessed with two

sons and after the birth of elder son, disputes arose between them due to illegal intimacy of Accused No.1 with their villager. Since then, he started harassing her daughter both physically and mentally, for which panchayaths were also held, but there is no change in the attitude of Accused No.1. While so, on the date of incident, i.e. on 11.11.2022 night at about 8-30 PM, she received phone call from Accused No.1 stating that her daughter has consumed insecticide poison and was in dying condition. Immediately, they went to the hospital and provided treatment, but the deceased took her last breathe. Hence, the complaint.

4. Learned counsel for the petitioner submits that Accused No.1 is innocent and has not committed any offence nor abetted the deceased to commit suicide.

5. On the other hand, learned Additional Public Prosecutor opposed for grant of bail to the petitioner.

6. This Court has perused the record available and found that the case was registered based on the Dying Declaration and Accused No.1 was remanded to judicial

custody on 15.11.2022 and as per the record, eight (8) witnesses were examined. It appears that the investigation has been completed except filing the charge-sheet, therefore, tampering of evidence and hampering the investigation does not arise. Under the circumstances, this Court is of the considered opinion that the petitioner can be enlarged on bail with certain conditions.

7. In the result, the Criminal Petition is allowed and the petitioner/Accused No.1 is directed to be released on bail, subject to the following terms and conditions:

- (i) The petitioner/Accused No.1 shall be enlarged on bail on his executing a personal bond of Rs.20,000/- with two sureties for a like sum each to the satisfaction of the Court of Principal Judicial First Class Magistrate, Bhongir.
- (ii) On such release, the petitioner/Accused No.1 shall appear before the Station House Officer, Bhongir Rural Police Station, Yadadri Bhongir District, on every Friday between 10-00 AM to 6-00 PM, for a period of two months or till filing of the charge-sheet, whichever is earlier. Thereafter, he shall personally appear before the Court concerned on each date of hearing.

- (iii) The petitioner/Accused No.1 shall not influence the prosecution witnesses.

SMT.M.G.PRIYADARSINI, J

Date: 26.12.2022
svl/gv

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