

THE HONOURABLE SRI JUSTICE M.LAXMAN

CRIMINAL PETITION No.4681 OF 2023

O R D E R:

1. This Criminal Petition is filed by the petitioner/Accused No.4 under Section 438 of the Criminal Procedure Code seeking anticipatory bail in Crime No.55 of 2023 of Bellampalli Town Police Station, Ramagundam District, which was registered for the offences punishable under Sections 304-B and 498-A of I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2. The sum and substance of the case of the prosecution is that the marriage between the deceased and accused No.1 was performed on 25.05.2022 and at the time of marriage, Rs.35.00 lakhs cash and three tolas of gold was given apart from other household articles and they were happy for two months. Thereafter, all the accused allegedly demanded the deceased to get additional dowry of Rs.10.00 lakhs. In this regard, there was a panchayat before the elders, and inspite of such a panchayat, the harassment towards the deceased

was continued. On 17.04.2023 at about 8.00 a.m., when the deceased was making tiffin water flowed from the vessel and in this regard all the accused allegedly beat the deceased claiming that she was talking with others on phone and the same was witnessed by one Akula Rajesh and informed to her parents. On account of such harassment, in the evening of 17.04.2023, the deceased allegedly committed suicide by hanging to the ceiling fan of the house and the deceased was taken to the hospital, where she was declared brought dead.

3. The contention of the learned counsel for the petitioner is that the petitioner is the married sister-in-law of the deceased and her marriage was performed long back i.e., about 12 years back and she is staying in Hyderabad along with her husband and children, therefore, there is no occasion for her to stay with the deceased in Bellampalli to harass the deceased and she was falsely implicated.

4. On the contrary, the learned Public Prosecutor opposed the bail application contending that as per the complaint, there is a specific allegation of harassment by all the sisters of accused No.1 including the petitioner and when such is

the allegation, the petitioner cannot be granted anticipatory bail for the serious offence under Section 304-B of I.P.C. and under the provisions of the Dowry Prohibition Act, 1961.

5. A close scrutiny of the complaint and other part of the investigation, there is no dispute that the petitioner was staying in Hyderabad along with her husband and children and she was married long back. Accused No.1 and his parents were staying in Bellmapally, which is far away place to Hyderabad and the allegations are omnibus in nature. In the said circumstances, this Court is inclined to grant anticipatory bail to the petitioner/accused No.4.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.4 is granted anticipatory bail subject to the following conditions:

(i) The petitioner/accused No.4 is directed to surrender before the Station House Officer, Bellampally Town Police Station, Ramagundam District and on such surrender, she is ordered to be released on bail on her executing a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with two sureties each for a like sum to the satisfaction of Station

House Officer, Bellampally Town Police Station,
Ramagundam District.

(ii) The petitioner/accused No.4 shall make available for the police as and when her presence is required for the purpose of investigation.

(iii) The petitioner/Accused No.4 is further directed to cooperate with the Investigating Agency.

(iv) The petitioner/accused No.4 shall abide by the other conditions stipulated in Section 438 of the Criminal Procedure Code.

M. LAXMAN, J

25.05.2023
TMK/GSD

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Date: 25.05.2023

TMK/GSD