

**THE HONOURABLE SRI JUSTICE M.LAXMAN**

**CRIMINAL PETITION No.5128 OF 2023**

**ORDER:**

1. This Criminal Petition is filed by the petitioner/Accused No.5 under Sections 438 of the Criminal Procedure Code seeking anticipatory bail in FIR No.55 of 2023, on the file of Station House Officer, Bellampally Town Police Station, Ramagundam District, which was registered for the offences punishable under Section 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 was continued with the deceased. 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 the deceased allegedly committed suicide by hanging to the ceiling fan of the house and the deceased she 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 of the accused No.1 and residing with her husband at Jammikunta and therefore, she is no way connected with the disputes between accused No.1 and the deceased. Further, she has been falsely implicated in this case.

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 Jammikunta along with her husband. Accused No.1 and his parents were staying in Bellampally, and the allegations are omnibus in nature. In the said circumstances, this Court is inclined to grant anticipatory bail to the petitioner/accused No.5 on certain conditions.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.5 is granted anticipatory bail subject to the following conditions:

(i) The petitioner/accused No.5 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.5 shall make available for the police as and when required for the purpose of investigation.

(iii) The petitioner/Accused No.5 further directed to cooperate with the Investigating Agency.

(iv) The petitioner/accused No.5 shall abide by the other conditions stipulated in Section 438 of the Criminal Procedure Code.

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**M. LAXMAN, J**

20.06.2023  
Prn/Dua

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**Date: 20.06.2023**

Prn/Dua