

THE HONOURABLE SRI JUSTICE M. LAXMAN

CRIMINAL PETITION No.6437 OF 2023

ORDER:

1. This petition is filed under Sections 437 and 439 of Criminal Procedure Code, 1973 (Cr.P.C) seeking to grant regular bail to the petitioner, who is arrayed as sole accused in Crime No.823 of 2023 of L.B.Nagar Police Station, Rachakonda. The offences alleged against the petitioner are under Sections 306 and 498-A of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2. Briefly, the case of the prosecution is that the deceased namely Cheekatimalla Sharada is the wife of the present petitioner. Eighteen (18) years back the marriage was performed between the deceased and the petitioner and out of their wedlock, they blessed with two children. After the marriage, the petitioner started harassing the deceased demanding additional dowry. In the month of December, 2022 the complainant who is the mother of the deceased has also given additional dowry of Rs.3,00,000/-. In spite of giving such additional dowry, the petitioner allegedly continued harassment

to the deceased. Unbearable with the harassment, on 24.04.2023 the deceased consumed acid. Immediately, she was taken to Pride Hospital, L.B.Nagar and she was discharged on 02.05.2023. After discharge, the deceased was taken to the petitioner's house. Later, on 19.05.2023 the deceased was sent to her parents' house, again she got a complication and shifted to another hospital; and while undergoing treatment, she succumbed.

3. Heard learned counsel for the petitioner - accused and learned Additional Public Prosecutor for the respondent - State.

4. On perusal of the material on record, for the last 18 years of marriage, there was no complaint of alleged harassment by the petitioner - accused for additional dowry. After the consumption of acid, the petitioner shifted the deceased to the hospital and she was under treatment for nearly more than five (05) days and she was discharged with a stable condition. The deceased was with the petitioner - husband upto 19.05.2023 but no complaint was lodged during that period. Subsequently, the complication arose and the deceased succumbed to the

complication. In the said background of facts, it is a fit case to grant regular bail to the petitioner - accused.

5. Accordingly, the Criminal Petition is allowed and the petitioner-accused shall be released on bail on the following terms and conditions:

- (i) The petitioner-accused shall be released on bail on his executing a personal bond for Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of IX Additional District and Sessions Judge-cum-IX Additional Metropolitan Sessions Judge, Ranga Reddy District at L.B.Nagar.
- (ii) The petitioner-accused shall not directly or indirectly influence or make any witnesses or complainant.
- (iii) The petitioner-accused shall make available with the investigating agency for proper investigation and he shall fully cooperate with the investigation agency. He shall not in any manner which will be prejudicial to fair and expeditious investigation.

JUSTICE M. LAXMAN

Date: 25.07.2023
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