

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.8637 of 2023

ORDER:

1. This Criminal Petition is filed under Section 438 of Cr.P.C. by the petitioner/Accused seeking bail in the event of his arrest in connection with Crime No.291 of 2023 on the file of Paloncha Town Police Station, Bhadradi Kothagudem District, registered for the offences under Sections 498-A and 306 of IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961.
2. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State and perused the record.
3. The petitioner is seeking anticipatory bail. The mother-in-law of the petitioner lodged a complaint stating that the deceased was married to this petitioner in the year, 2009. At the time of marriage, dowry was given. In the year, 2016 an amount of Rs.4,00,000/- was given as loan to the petitioner by his father-in-law after the retirement. However, he was not returning the said amount and whenever asked, he was harassing the deceased. On 26.08.2023, the deceased made a phone call to her mother and informed her that she was being beaten by the

petitioner. The next day, she received a phone call from the petitioner that the deceased committed suicide.

4. Learned counsel for the petitioner would submit that there are no specific allegations which are leveled against this petitioner to infer any abetment. Further, he is a public servant, any detention would adversely impact his job and he has also two minor children to look after.

5. As seen from the complaint, the allegation is that in the year, 2016 loan was advanced to this petitioner by his father-in-law and he failed to repay the same. Whenever, he was insisted for payment of the same, it is alleged that this petitioner harassed his wife by beating her.

6. Learned Additional Public Prosecutor has produced post-mortem report, however, there are no anti-mortem injuries on the body of the deceased.

7. Keeping in view that general allegation is made that he was beating the deceased and also keeping in view that the petitioner is a public servant, this Court deems it appropriate to grant the relief of anticipatory bail to the petitioner, subject to the following conditions:

- 1) The petitioner/Accused is directed to surrender before the Station House Officer, Paloncha Town Police Station, Bhadradi Kothagudem District, on 16.09.2023. On such surrender, the said Station House Officer shall release the petitioner on bail, on his executing personal bond for a sum of Rs.25,000/- (Rupees Twenty five thousand only) with two sureties for a like sum each to his satisfaction.
- 2) On such release, petitioner/Accused shall appear before the concerned Station House Officer at 10.00 A.M everyday for a period of three weeks, for the purpose of investigation and thereafter, as and when required.
- 3) The petitioner/Accused shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

8. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

Date : 13.09.2023
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K.SURENDER, J

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Dt.13.09.2023

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