

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.9172 OF 2023****ORDER:**

1. This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioner/Accused No.4 in Crime.No.120 of 2023 on the file of Attapur Police Station, Cyberabad Commissionarate, registered for the offence under Section 304-B of IPC.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The petitioner is seeking relief of regular bail. She was arrested on 14.08.2023 on the allegation of harassing the deceased for additional dowry. The case of the prosecution is that the deceased was married to A-1 and at the time of marriage, dowry was also given. A-1, A-2 and A-3 are living in the same house under one roof and it is alleged that all the three were harassing her for not cooking the food properly and not undertaking house hold chores.

This petitioner/A-4 and her husband/A-5 used to visit the house of A-1 once in a week or in ten days and supported A-1 to A-3 and demanded purchase of bike to A-1. The complainant, who is the father of the deceased arranged Rs.60,000/- for purchase of the bike. However, the harassment did not stop. The deceased became pregnant and at the time of pregnancy, the petitioner herein allegedly demanded Rs.3 lakhs for performing 'sreemantham' function. Thereafter, she gave birth to a female child. For few months, she stayed at parent's house and thereafter, went to in-laws house. However, harassment continued and all the accused demanded 5 tulas of gold. Unable to bear the said harassment, the deceased committed suicide.

4. Learned counsel appearing for the petitioner would submit that the petitioner is in jail since 14.08.2023, major part of the investigation is complete and sought bail.

5. On the other hand, learned Additional Public Prosecutor would submit that the main allegations are against this petitioner for the reason of her demanding

money for performing 'sreemantham' function. Thereafter, also she had harassed her. In the said circumstances, it is not a fit case wherein the petitioner can be granted the relief of regular bail.

6. As seen from the remand report, an allegation is made against this petitioner that at the time of 'sreemantham' function which was performed at the end of 2020, she demanded an amount of Rs.3 lakhs. It is not the case that there was any unlawful demand by this petitioner either for gold or for money. Even in the remand report, except making bald allegations that all the accused humiliated the deceased, there is nothing specific against this petitioner soon before the death of the deceased. Admittedly, she was staying away at Secunderabad and was married by the time A-1 and deceased were married.

7. Keeping in view the detention of the petitioner on 14.08.2023, this Court deems it appropriate to grant the relief of regular bail to the petitioner subject, to following conditions:

i) The petitioner/Accused No.4 shall execute personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties for a like sum each to the satisfaction of XI Additional Metropolitan Magistrate, Cyberabad at Rajendranagar.

ii) The petitioner/Accused No.4 after release shall appear before the concerned Station House Officer as and when required for the purpose of investigation.

iii) The petitioner/Accused No.4 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

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

K.SURENDER, J

Date: 26.09.2023
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THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO. 9172 OF 2023

Dt.25.09.2023

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