

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NOS.11129 & 11183 OF 2023****COMMON ORDER:**

1. The CrI.P.No. 11129 of 2023 is filed by petitioner/Accused No.3 under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail and CrI.P.No.11183 of 2023 is filed under Section 438 of Cr.P.C. by the petitioners/Accused Nos.4 and 5 in the event of their arrest in connection with Crime.No.262 of 2023 on the file of Santoshnagar Police Station, Hyderabad, registered for the offences under Sections 306 and 498-A r/w. 34 of IPC.

2. Since the petitioners in both the petitions are accused Nos.3, 4 and 5 respectively in the very same crime, both the petitions are heard together and disposed off by this common order.

3. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State and perused the record.

4. The wife of A-1 committed suicide. In the complaint lodged on 04.10.2023, the mother of the deceased stated that the deceased was married to A-1 10 years ago. A-1 was harassing her mentally and instigated her to commit suicide. These petitioners also abetted A-1 and harassed her for additional dowry. A-1 was having extra marital affairs and used to harass her. On 02.10.2023, A-1 quarreled with the deceased, as such, the deceased went to her parent's house. On 03.10.2023, she returned and on 04.10.2023, it was informed by A-1 that the deceased committed suicide.

5. Learned counsel appearing for the petitioner would submit that petitioner/A-3 is aged around 70 years. Except bald allegation that father-in-law was harassing her, there is no other allegation against him. Except stating that the petitioners/A-4 and A-5 were abetting, there are no specific allegations against them.

6. On the other hand, learned Additional Public Prosecutor on instructions would submit that these petitioners had abetted A-1 in harassing the deceased.

7. Since petitioner/A-3 is in jail, he can be granted the relief of regular bail, subject to following conditions:-

- i) The petitioner/Accused No.3 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 VII Additional Chief Metropolitan Magistrate, Hyderabad.
- ii) The petitioner/Accused No.3 after release shall appear before the concerned Station House Officer for the purpose of investigation, as and when required.

8. Insofar as A-4 and A-5 are concerned, they were married and living separately. The prayer for anticipatory bail can be considered for the reason of there being bald allegation that they were complicit and abetting A-1 and no specific instances were narrated where these petitioners are involved, subject to following conditions:-

- 1) The petitioners/Accused Nos.4 and 5 are directed to surrender before the Station House Officer, Santoshnagar Police Station, Hyderabad, on or before 22.11.2023. Upon such surrender, the said Station House Officer shall release the petitioners/Accused on bail, on their 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, the petitioners/Accused Nos.4 and 5 shall appear before the concerned Police for the purpose of investigation, as and when required.
- 3) The petitioners/A-3 to A-5 shall abide by other conditions stipulated in Section 438(2) of Cr.P.C. and shall co-operate with the Investigating Officer in investigating the case.

9. Accordingly, these Criminal Petitions are allowed. Miscellaneous applications, pending if any, shall stand closed.

Date: 15.11.2023
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NOs. 11129 & 11183 OF 2023

Dt.15.11.2023

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