

THE HONOURABLE Dr.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.4190 OF 2024

ORDER:

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short “Cr.P.C”) seeking anticipatory bail to the petitioners-Accused Nos.1 & 2 in Crime No.62 of 2024 on the file of the Station House Officer, Vemulawada Rural Police Station, Rajanna Siricilla District, registered for the offence under Section 306 read with 34 IPC.

2. The case of the prosecution in brief was that on 08.04.2024 at about 20.00 hours, the de facto complainant – father of the deceased woman, lodged a report stating that he performed the marriage of his daughter (deceased) with one Shekar 13 months ago. His son Prashanth, aged 22 years, fell in love with the daughter of the petitioner No.1 herein and he asked the petitioner No.1 in the presence of the elders of the village to perform the marriage of his son with the daughter of the petitioner No.1. But, the petitioner No.1 stated that his son i.e. petitioner No.2 also fell in love with the daughter of the de facto complainant and stated before all the villagers and that they were having photos and messages, for which the de facto complainant stated that he already performed the marriage of his daughter to a

third person. Suspecting that the petitioners might show the photos and messages to all the villagers and that her husband might know about the same and out of fear that it might affect her family life, her daughter consumed poison on 26.03.2024 and while undergoing treatment died on 08.04.2024 at 16.24 hours. Basing on the said report, the above crime was registered.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor.

4. Learned counsel for the petitioners submitted that the petitioner No.2 was a student of BBA final year and he had to appear for the final examinations which were to be commencing from 19.04.2024 onwards, the petitioners no way abetted the death of the deceased and in view of registration of the present crime, the petitioners were apprehending arrest in the hands of police, prayed for grant of anticipatory bail to the petitioners.

5. Learned Additional Public Prosecutor opposed grant of anticipatory bail to the petitioners.

6. Perused the record. Considering that the contents of the complaint would not disclose any abetment or inducement or

instigation by the petitioners herein to cause the death of the deceased, it is considered fit to enlarge the petitioners on anticipatory bail on certain conditions.

7. Accordingly, the Criminal Petition is allowed and the petitioners-A1 and A2 are granted anticipatory bail subject to the following conditions:

1. The petitioners-Accused Nos.1 and 2 are directed to surrender themselves before the Station House Officer, Vemulawada Rural Police Station, Rajanna Siricalla District, within a period of (15) days from the date of this order and on such surrender, the said Station House Officer shall release the petitioners on bail on their executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties for a like sum each to the satisfaction of the said Station House Officer.
2. The petitioners-A1 and A2 shall abide by the conditions stipulated under Section 438(2) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

April 18, 2024
KTL

Dr. G.RADHA RANI, J