

HONOURABLE Dr.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.4320 OF 2024

ORDER:

This Criminal Petition is filed under Section 438 of Code of Criminal Procedure, 1973 (for short “Cr.P.C.”) seeking anticipatory bail to the petitioners-A4 and A5 in Crime No.192 of 2022 on the file of Kondurg Police Station, Ranga Reddy District, registered for the offences under Sections 498(A), 306 read with 34 of Indian Penal Code (for short ‘IPC’).

2. The case of the prosecution in brief was that on 19.12.2022 at 13:00 hours the *de-facto* complainant who was the brother of the deceased lodged a report before the police stating that his sister was married with A1, 10 years ago and they were blessed with a son. Later, her husband-A1 got addicted to alcohol and used to harass her physically and mentally and the petitioners herein also harassed her physically and mentally. While they were abusing, they used to ask her to die somewhere. On 18.12.2022 in the afternoon hours, A1 quarreled with his wife, abused her, beat her and abetted her to die. Due to depression, she immediately left the house. Later, on 19.12.2022 at 06:30 hours, her body was traced out in a well outside Parvathapur village. Basing on the said report, the above Crime was registered against A1 to A5 (the husband of the deceased, her parents-in-law, sister-in-law and the husband of sister-in-law) for the

above said offences.

3. Heard the learned counsel for the petitioners - A4 and A5 and the learned Additional Public Prosecutor for the respondent – State.

4. Learned counsel for the petitioners-A4 and A5 submitted that due to matrimonial disputes between the deceased and A1, she committed suicide. The present petitioners were no way concerned with the matrimonial life of the deceased and the A1. Bald allegations were falsely made against the petitioners. The petitioners were residents of Kothapalli village, Yacharam Mandal, Ranga Reddy District. The deceased and A1 used to reside at Jadcharla, Mahaboobnagar District. The petitioners were also aged persons who were married long back. The petitioner-A4 would only visit her parental home occasionally and prayed to enlarge the petitioners on anticipatory bail.

5. Learned Additional Public Prosecutor opposed grant of anticipatory bail to the petitioners. He submitted that A1 was arrested. The names of A2 and A3 were deleted during the course of investigation and the present petitioners were shown as A2 and A3. 41-A Cr.P.C notice was also served on the petitioners.

6. Perused the record. Considering that the complaint was lodged on 19.12.2022 i.e., long back and A1 was already arrested and the

allegations made against the petitioners are only omnibus and not specific and as it was reported that they used to reside separately in a separate district and they are also aged persons, it is considered fit to enlarge the petitioners-A4 and A5 on anticipatory bail on certain conditions.

7. Accordingly, the Criminal Petition is allowed and the petitioners-A4 and A5 shall be released on anticipatory bail subject to the following conditions:

- 1) The petitioners-A4 and A5 are directed to surrender before the Station House Officer, Kondurg Police Station, Ranga Reddy District within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioners-A4 and A5 on bail, on their executing a 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 the said Station House Officer.
- 2) The petitioners-A4 and A5 shall abide by the conditions stipulated under Section 438(2) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

Dated: 26.04.2024
Dsv.

Dr. G.RADHA RANI, J

THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.4353 OF 2024
Dated:26.04.2024

dsv