

THE HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

CRIMINAL PETITION No.1487 OF 2022

ORDER:-

This Criminal Petition under Section 438 of the Code of Criminal Procedure, 1973, is filed to enlarge the petitioners on bail in the event of their arrest.

The petitioners are A-2 and A-3 in Crime No.59 of 2021 of S.R.Puram Police Station, SPSR Nellore District.

A case under Sections 498A, 306 r/w 34 IPC was registered against them along with A-1 in the above crime.

As per the version of the prosecution, A-1 is the husband of the deceased. The petitioners herein, who are A-2 and A-3, are the parents of A-1. It is stated that A-1 along with the petitioners herein has subjected the deceased to cruelty with illegal demands. Unable to bear the said harassment, she has committed suicide by hanging. Therefore, it is stated that the petitioners have committed the aforesaid offences.

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

Learned counsel for the petitioners would submit that no specific allegations are made against the petitioners herein who are A-2 and A-3 who are the parents of A-1 regarding the alleged harassment said to have been caused to the deceased. It is stated that only vague allegations are made against them and they are falsely implicated in the crime. Therefore, he would pray for grant of anticipatory bail to the petitioners.

Learned Additional Public Prosecutor would submit that there are certain allegations that are made against these petitioners stating that they used to harass the deceased as they did not like her marrying their son, who is A-1, and as such unable to bear the said harassment that she has committed suicide. Therefore, he would pray for dismissal of the Criminal Petition.

As can be seen from the record, there are no specific allegations made against these petitioners regarding the alleged harassment said to have been caused by them to the deceased by making any demand for any additional dowry. The only allegation that was made is that the petitioners did not like the deceased marrying A-1 and as such they used to make comments against her in this regard and used to harass her. The said allegations *prima facie* do not constitute any offence punishable under Section 498A IPC. Except the said vague allegation, there are no specific allegations made against these petitioners regarding the harassment said to have been caused by them to the deceased by making any illegal demands for additional dowry etc. Therefore, in the said facts and circumstances of the case, this Court is of the considered view that the petitioners are entitled for pre-arrest bail.

Resultantly, this Criminal Petition is allowed. In the event of arrest of the petitioners in the above crime, they shall be forthwith released on bail on execution of self bond for Rs.25,000/- (Rupees fifty thousand only) each with two sureties for a like sum each to the satisfaction of the Station House Officer of S.R.Puram Police Station, SPSR Nellore District.

JUSTICE CHEEKATI MANAVENDRANATH ROY

Date: 22-03-2022

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