

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 2762 OF 2023

Between:

1. Bitra Sakkubai, W/o. Dhana Raju, Aged about 59 years, R/o. D.No.58-2-34, Bagaiah Street, SBT Back Side, Patamata, Vijayawada, presently residing At D.No.18-157, SK.Vali Street, Sanathnagar, Kanuru village, Penamaluru Mandal, Krishna District.
2. Udata Kiranmayi, W/o. Sheshu Babu, Aged about 39 years, R/o. D.No.18-157, SK.Vali Street, Sanathnagar, Kanuru village, Penamaluru Mandal, Krishna District.

...Petitioners/Accused Nos.2 & 3

AND

The State of Andhra Pradesh, Rep.by the Station House Officer, P.S., Penamaluru, Krishna District. Rep.by the Public Prosecutor, High Court of Andhra Pradesh, At Nelapadu, Amaravathi.

...Respondent

Petition under Sections 437 & 439 of Cr.P.C, praying that in the circumstances stated in the grounds filed in Criminal Petition, the High Court may be pleased to direct the respondent to enlarge the petitioners/accused No. 2 & 3 on bail in connection with FIR No.259 of 2023, dated 21.3.2023, on the file of the Penamaluru P.S., Krishna District and pass

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri Rama Rao Kochiri, Advocate for the Petitioners and of Special Asst. Public Prosecutor for the Respondent, the Court made the following;

ORDER:

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.2762 of 2023

Order:

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed by the petitioners/Accused Nos.2 and 3, seeking regular bail, in Crime No.259 of 2023 of Penamaluru Police Station, Krishna District.

2) A case has been registered against the petitioners and another for the offence punishable under Section 304-B IPC.

3) Brief facts of the case are that father of the deceased lodged a report stating that his daughter Sahaja's marriage was performed with A1 who is resident of Sanath Nagar on 11.06.2020. During their conjugal life, A1 and her daughter were blessed with a baby girl. From the date of marriage, A1 was harassing her both mentally and physically for additional dowry and A2 and A3 also supported him. Unable to bear the harassment made by the accused, she committed suicide by hanging on 21.03.2023.

4) Heard. Perused the record.

5) A perusal of material on record goes to show that, the petitioners are mother and sister of A1. Except stating that they supported A1 in harassing the deceased, there is no other accusation that has been made as against them in the FIR or remand report and that no specific act has been attributed against the petitioners herein. The petitioners were arrested on 11.03.2023 and since then they are in judicial custody. It is submitted by the learned Special Assistant Public Prosecutor that major portion of investigation has been completed and only a formal charge sheet is to be filed.

6) In view of the facts and circumstances of the case, this Court is inclined to grant bail to the petitioners/Accused No.2 and 3, on the following conditions.

(i) The petitioners/Accused Nos.2 and 3 shall be released on each of them executing a personal bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the learned VI Metropolitan Magistrate, Vijayawada;

(ii) On release, the petitioners shall appear before the Station House Officer, concerned, once in a fortnight i.e., on Friday between 10.00 a.m., and 01.00 p.m., till filing of the charge sheet.

(iii) The petitioners shall not directly or indirectly contact or threaten the witnesses under any circumstances and any such attempt shall be construed as an attempt of influencing the witnesses and shall not tamper evidence and shall co-operate with the investigation.

It is made clear that the petitioners shall scrupulously comply with the above conditions and breach of any of the above conditions will be viewed seriously and prosecution is at liberty to move an application for cancellation of the bail.

7) Accordingly, the Criminal Petition is **allowed**.

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

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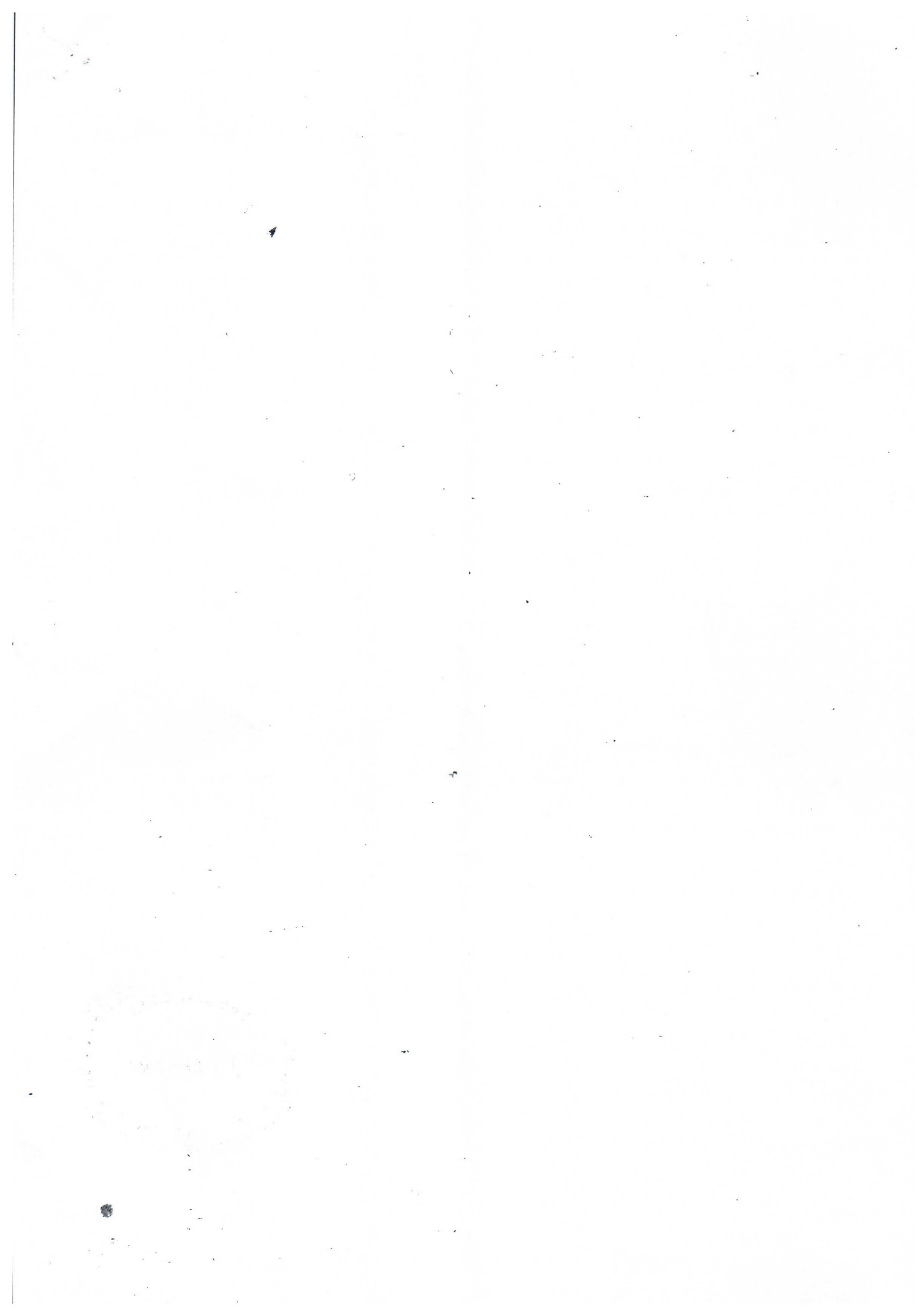
For A

SECTION OFFICER

To,

1. The VI Metropolitan Magistrate, Vijayawada, Krishna District.
2. The Superintendent, Sub-Jail, Vijayawada, Krishna District.
3. The Station House Officer, Penamaluru Police Station, Krishna District.
4. One CC to Sri. Rama Rao Kochiri, Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. One spare copy.

MSB



HIGH COURT

SRK,J

DATED:25/04/2023

BAIL ORDER

CRLP.No.2762 of 2023

ALLOWED

