

(2022) 08 KAR CK 0013
In the Karnataka High Court
Case No : Criminal Petition No. 6051 Of 2022

Ranajeeth

APPELLANT

Vs

State Of Karnataka By Womens Police Station, Mysuru

RESPONDENT

Date of Decision : 11-08-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439
Indian Penal Code, 1860 — Section 306, 498A
Dowry Prohibition Act, 1961 — Section 3, 4

Citation : (2022) 08 KAR CK 0013

Hon'ble Judges : K. Natarajan, J

Bench : Single Bench

Advocate : Mohankrishna R.G, Krishna Kumar K.K

Final Decision : Allowed

Judgement

K. Natarajan, J

1. This petition is filed by the petitioner/accused under Section 439 of Cr.P.C. for granting bail in C.C.No.444/2022 registered by Mysore City Women Police Station, Mysuru, for the offence punishable under Sections 498A and 306 of IPC and Sections 3 and 4 of the Dowry Prohibition Act.

2. Heard the learned counsel for the petitioner and the learned High Court Government Pleader appearing for the respondent-State.

3. The case of the prosecution is that the complainant Vedamurthy filed a complaint before the police on 15.03.2022 in Crime No.16/2022 and that on the point of jurisdiction, the same was transferred to the Mysore City Women Police Station and in turn, they registered one more FIR on 20.04.2022. It is alleged by the complainant that his daughter Shruti married the petitioner on 18.12.2014 and the marriage was held at Srirama Kalyana Mantapa by spending Rs.10 lakhs. He also gave cash of Rs.3 lakhs and 50 grams of gold ornaments and later the accused is said to have shifted to Mysuru. His daughter used to complain against

the petitioner that after birth of the female child, he started quarrelling by drinking alcohol and harassing her physically and mentally. Therefore, she came back to the complainant's house and after the advise, she was sent back to the matrimonial home. On 13.03.2022 at 1.15 p.m., she telephoned to the complainant that she will come back as the accused has not changed his character. However, the complainant said that within two days he will come and speak to him. By that time, she has committed suicide by jumping into the lake. After registering the case, the police arrested the petitioner on 16.03.2022 and he was remanded to judicial custody and his bail came to be rejected and hence he is before this Court.

4. Heard the arguments of the learned counsel for the petitioner and the learned High Court Government Pleader appearing for the respondent-State and also perused the material available on record, which reveals the marriage was performed seven years back in the year 2014 and the complainant is said to have paid cash as well as gold ornaments as dowry and after the birth of the child, the accused started harassing the victim by consuming alcohol and panchayat was also held and the victim was sent back to the house of the accused. The victim committed suicide by jumping into the lake on 15.03.2022. The accused is in custody from almost five months and investigation has been completed and charge-sheet is also filed. The case also committed to the Court of Sessions and pending for trial. Therefore, considering the facts and circumstances of the case, except for trial, the presence of the petitioner may not be required for any further investigation. The apprehension of the prosecution may be safeguarded by imposing certain conditions, if bail is granted to the petitioner, no prejudice would be caused to the case of the prosecution. Hence, I pass the following:

ORDER

The petition is allowed. The petitioner is ordered to be released on bail in C.C.No.444/2022 registered by Mysore City Women Police Station, Mysuru, for the offence punishable under Sections 498A and 306 of IPC and Sections 3 and 4 of the Dowry Prohibition Act, subject to the following conditions:

- (i) The petitioner shall execute a personal bond for a sum of Rs.2,00,000/- (Two Lakhs only) with two sureties for the likesum to the satisfaction of the jurisdictional Court;
- (ii) The petitioner shall not tamper with the prosecution witnesses directly/indirectly;
- (iii) The petitioner shall not leave the jurisdiction without prior permission of the Trial Court;

If any of the above conditions are violated, the prosecution is at liberty to seek cancellation of this bail order.