
(2011) 03 KAR CK 0264
In the Karnataka High Court
Case No : Criminal Petition No. 717 of 2011

Shankare Gowda, Smt. Premamma Gowda, Prakash @
Doddaswamy Gowda and Vanajakshi

APPELLANT

Vs

State of Karnataka

RESPONDENT

Date of Decision : 31-03-2011

Acts Referred:

Penal Code, 1860 (IPC) — Section 143, 149, 306, 498A

Citation : (2011) 03 KAR CK 0264

Hon'ble Judges : A.S. Pachhapure, J

Bench : Single Bench

Advocate : Vishwanatha Poojary, for the Appellant; G.M. Srinivas Reddy, HCGP, for the Respondent

Final Decision : Allowed

Judgement

A.S. Pachhapure, J.—The facts reveal that the complainant is the father of Laxmi (deceased) and her marriage was performed with Rajanikant, the son of Petitioner No. 1 and 2. At the time of marriage an amount of Rs. 1,50,000/- and ISO grams of gold ornaments were given along with a Hera honda Motorcycle. They led happy married life for some time and had a daughter from their wedlock, The husband of the deceased Laxmi was consuming liquor and used to ill-treat his wife and assault her, insisting her to bring more money from her parents. It is also alleged that the Petitioners also subjected the deceased to cruelty and harassment. It is on B/11/2010 at about 10.00 a.m. when the complainant came to know the death of the deceased by hanging, she went to the house of husband of deceased Laxmi and saw the dead body lying on the ground. It is under these circumstances the complaint came to be filed against the husband of the deceased and also Petitioners for the offences punishable u/s 143, 498A, 306 r/w, 149 IPC.

2. The Petitioners submit that they are innocent and they have not committed any crime alleged against them.

3. I have heard the learned Counsel for the Petitioner and learned HCGP.

4. So far as the Petitioner Nos. 1 and 2 are concerned they are aged about 65 and 55 years and they are parents-in-law of Laxmi (deceased). The Petitioner No. 3 and 4 are the son and daughter respectively of Petitioner Nos. 1 and 2.

5. As could be seen from the allegations so far as the Petitioners are concerned they are stated to have subjected the deceased to cruelty and harassment. The main allegation is against the husband of the deceased who is said to consume liquor and used to assault the deceased. So taking into consideration the fact that the Petitioners 1 and 2 are aged persons and Petitioners No. 3 and 4 are son and daughter of Petitioner Nos. 1 and 2, I am of the opinion that it is fit a case wherein the Anticipatory Bail has to be granted to the Petitioners.

6. In the result the petition is allowed and the Petitioners are liable to be released on bail in the event of their arrest in the crime stated supra on their executing a personal bond for a sum of Rs. 50000/- each with one surety In the like sum to the satisfaction of the arresting authority, with the further following conditions:

(i) The Petitioners shall appear before the police within 10 days from the date of the order.

(ii) The Petitioners shall not directly or indirectly, make any inducement threat, or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(iii) They shall attend the Court regularly as and when case is fixed.