

IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 31ST DAY OF OCTOBER, 2017

BEFORE

THE HON'BLE MR. JUSTICE N.K.SUDHINDRARAO

CRIMINAL PETITION NO.201082/2017

BETWEEN:

1. MALLAMMA W/O SIDDANNA HATGUNDI
AGE ABOUT:60 YEARS, OCC: HOUSEHOLD,
R/O:UPLOAN VILLAGE,
TQ. & DIST. KALABURAGI-585101.
2. RENUKA W/O RAJKUMAR KHANDENAWAR,
AGE ABOUT:30 YEARS,
OCC:HOUSEHOLD,
R/O:UPLOAN VILLAGE,
TQ. & DIST.KALABURAGI.

... PETITIONERS

(BY SRI ASHOK B.MULAGE, ADVOCATE)

AND:

THE STATE OF KARNATAKA
THROUGH GRAMEEN P.S.,
KALABURAGI
REPRESENTED BY ADDL.S.P.P.
HIGH COURT BENCH,
KALABURAGI-585101.

... RESPONDENT

(BY SRI. SHESHADRI JAISHANKAR, HCGP)

THIS CRIMINAL PETITION IS FILED UNDER SECTION 439 OF CR.P.C. SEEKING TO GRANT THE RELIEF OF BAIL IN CRIME NO.293/2017 OF GRAMEEN POLICE STATION FOR THE OFFENCES PUNISHABLE UNDER SECTIONS 498(A), 323, 504,506, 304 (B) R/W SECTION 34 OF IPC AND UNDER SECTIONS 3 AND 4 OF DOWRY PROHIBITION ACT.

THIS PETITION COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

The petition is filed under Section 439 of Cr.P.C. wherein the petitioners seek bail in Cr.No.293/2017 of Grameen Police Station, Kalaburagi registered for the offences punishable under Sections 498(A), 323, 504,506, 304 (B) R/w Section 34 of IPC and under sections 3 and 4 of Dowry Prohibition Act.

2. It is stated in the complaint lodged by one Andappa S/o Revansiddappa Koravi that his second daughter Ambika was given in marriage to one Gurulingappa. At the time of marriage 3 ½ tolas of gold and cash of Rs.51,000/- given to the accused as dowry. His daughter Ambika was looked after well for the first

15 days in the matrimonial house. Later, she was harassed and tortured in the matter of dowry, abused her in filthy language. It is further stated that Ambika was sent back to her parental house. It is also stated Ambika requested the accused to send her back to her parental house, but the accused refused and at the time of Nagapanchami festival, it was also revealed by Ambika that it has become difficult for her to live in the house of the accused. In the circumstances, on 20.08.2017 at about 1.40 a.m. the younger brother of the complainant informed through phone that Ambika committed suicide by hanging. When the complainant and all the family members came to the house of the accused, they found Ambika hanged herself through her saree and she was dead. Complainant claims that she was tortured and harassed by demanding dowry at regular intervals, because of which she was done to death. The incident might have occurred on 20.08.2017 between 1.00 a.m. and 1.30 a.m. in the house of the

accused at Kakhade Nagar, Kalaburagi. The petitioners and two others were arrested on 20.08.2017.

3. It is a question of death of a lady. Both the petitioners are female, they are said to be in judicial custody from 20.08.2017. Since the investigation is under progress, it may not be just and proper to enlarge the petitioners on bail. However, liberty is given to them to exercise the liberty of filing another application for bail after the completion of investigation.

Hence the;

ORDER

The petition filed under Section 439 of Cr.P.C. is hereby rejected.

**Sd/-
JUDGE**

NSP