

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 01ST DAY OF DECEMBER, 2011

BEFORE

THE HON'BLE MR. JUSTICE B.V.PINTO

CRL.P.NO.6174 OF 2011

BETWEEN

NARASIMHA MURTHY
S/O GAJENDRAPPA
AGED ABOUT 31 YEARS,
R/AT # 43, 5TH CROSS,
CHANNEL ROAD,
CHOLURAPALYA
MAGADI ROAD,
BENGALUR 560023.

... PETITIONER

(BY SRI. K.O. VIJAYAKUMAR, ADVOCATE)

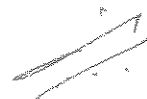
AND

STATE OF KARNATAKA
MAGADI ROAD KPOLICE STATION
BENGALURU
REP. BY GOVERNMENT PLEADER
HIGH COURT OF KARNATAKA
BENGALURU.

... RESPONDENT

(BY SRI. VIJAYAKUMAR MAJAGE, HCGP)

THIS CRL.P FILED U/S.439 CR.P.C BY THE
ADVOCATE FOR THE PETITIONER PRAYING THAT THIS
HON'BLE COURT MAY BE PLEASED TO RELEASE THE



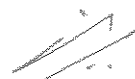
PETR. ON BAIL IN CR.NO.243/10 OF MAGADI ROAD P.S.,
BANGALORE, FOR THE OFFENCES P/U/S 498A AND 304B
R/W SEC. 34 OF IPC. AND SEC. 3 AND 4 OF DP ACT.

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

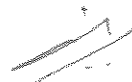
ORDER

This petition is filed seeking bail in Crime
No.243/2010 of Magadi Road Police Station, Bangalore
registered on 20.09.2010 for the offences under
Sections 498A and 304B IPC r/w. Section 34 IPC and
Sections 3 and 4 of D.P.Act.

2. It is the case of the complainant who is the
mother of the deceased Vani that the petitioner was
married to the deceased 2 ½ years prior to the date of
the incident and during the marriage, no dowry was
given since it was a love marriage. However, after the
marriage, at the demand of the petitioner, a sum of
Rs.2,00,000/- was given by selling the land through one
Prakash who is the maternal uncle of the deceased. It
is further stated in the complaint that after such



payment, the petitioner has pestered the deceased to bring another Rs.50,000/- and thereafter, at the time of naming ceremony of the child, the petitioner has asked the deceased to bring Rs.20,000/- cash and 25 grams of gold, which was also given to him. On 19.09.2010 at about 4.30 p.m., the deceased is alleged to have telephoned to Yogesh saying that she is scared of her husband, mother-in-law and brother-in-law. She has stated that she is afraid that she would be sent out of the house on that day. However, the said Yogesh and complainant had pacified her. Again after some time, the deceased informed that the petitioner is finishing her and that the petitioner has been forcibly making her to drink some substance and so saying she kept the phone and thereafter, the phone did not respond. It was later found that the deceased had died due to poisoning. The police have filed charge sheet for offence under Section 302 IPC apart from Section 304B IPC.



3. Heard Sri K.Vijaya Kumar, learned Counsel for the petitioner and Sri Vijaya Kumar Majage, learned HCGP for the respondent State.

4. Learned HCGP opposes the bail application and submits that petition filed by the petitioner in CrI.P.No.4443/2011 has been dismissed by this Court.

5. I have gone through the materials on record. The offence is punishable with death or imprisonment for life hence, the petitioner is not entitled for bail. Accordingly, the petition is dismissed.

Sd/-
JUDGE

nvj