

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.11563 of 2014

ORDER:

This Criminal Petition is filed under Section 438 Cr.P.C by petitioners/ A-2 to A-10 seeking anticipatory bail in connection with a case in Crime No.42 of 2014 of Makkuva Police Station, Vizianagaram District, registered for the offences punishable under Section 376, 417 and 420 IPC and Section 3 & 4 of Dowry Prohibition Act.

2. Heard learned counsel for the petitioners, the learned Additional Public Prosecutor for the respondent-State and perused the material placed on record.

3. A perusal of the report shows that A-1 lured the de facto complainant/ Victim of 23 years old and made her to consume the intoxicated drug by mixing it in cool drink and committed rape on her and subsequently when panchayat raised the parents of the accused and his family members were participated and demanded for dowry. There is no whisper in the bail application that there are reasonable grounds for believing that the accused is liable to be arrested in a non-bailable offence, as the reasonable apprehension is the basis for maintainability of bail application under Section 438 (1) Cr.P.C.

4. Having regard to the above, the anticipatory is not maintainable and is accordingly rejected by giving liberty to file fresh application with relevant particulars to decide on own merits.

Dr. B.SIVA SANKARA RAO J,

Dt.25.09.2014
knl