

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.8305 of 2015

ORDER:

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This Criminal Petition is filed by the petitioner-A3 under Section 438 Cr.P.C. seeking anticipatory bail in C.C.No.482 of 2012 on the file of the Additional Judicial First Class Magistrate, Siddipet.

The de facto complainant filed a private complaint on 12.4.2012,, before the Additional Judicial First Class Magistrate, Siddipet against the petitioner and others for the offence punishable under Sections 420 and 498-A IPC and Sections 4 and 6 of the Dowry Prohibition Act, and the same has been referred to the police, basing on which a case in Crime No.40 of 2012 was registered against the petitioner and others. As the petitioner is a resident of USA, after conducting investigation, charge sheet was filed by the police against the other accused and the same was numbered as C.C.No.292 of 2012 and thereafter, the police filed supplementary charge sheet against the petitioner and the same has been numbered as C.C.No.482 of 2012 and the learned Magistrate took cognizance of the same for the offence under Section 420, 498-A r/w 34 IPC and issued NBWs against the petitioner. Thus, NBWs are pending against the petitioner.

Heard and perused the material available on record.

Since the present complaint arises out of a matrimonial dispute, this Court is of the view that the arrest of the petitioner would cause prejudice in case of future settlement between the parties. Therefore, this Court is inclined to pass the following order:

The petitioner-A3 is directed to surrender before the Magistrate concerned on or before 20th November, 2015 and move an application for recalling the warrant. On such application being moved, the same

shall be considered on the same day and the petitioner shall be released on bail on condition of his executing a personal bond for a sum of Rs.5,000/- (Rupees Five thousand only) with one surety for the like sum to the satisfaction of the Magistrate concerned.

Accordingly, the Criminal Petition is disposed of.

JUSTICE RAJA ELANGO

28th August, 2015.

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