

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

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CRIMINAL PETITION No.7058 of 2015

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Between:

Mazar Hussain & 3 others

..Petitioners/ accused Nos.2 to 5

And

The State of Andhra Pradesh,
rep. by Public Prosecutor
High Court at Hyderabad
(through SHO, Women PS, Kurnool) & another

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 10-08-2015

SUBMITTED FOR APPROVAL:

**HONOURABLE Dr. JUSTICE B.SIVA SANKARA
RAO**

1. Whether Reporters of Local newspapers

Yes/No

may be allowed to see the Judgment?

2. Whether the copies of judgment may be
marked to Law Reporters/Journals

Yes/No

3. Whether Their Lordship wish to
see the fair copy of the Judgment?

Yes/No

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.7058 of 2015

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ORDER :

This Criminal Petition is filed by the Petitioners/ accused Nos.2 to
5 under Section 482 Cr.P.C seeking to quash the Crime No.68 of 2015 of

Women Police Station, Kurnool, Kurnool District, registered for the offences punishable under Sections 498-A, 494 and 307 IPC and Sections 3 and 4 of Dowry Prohibition Act, outcome of report of 2nd respondent—de facto complainant, who is no other than wife of accused No.1 and daughter-in-law of accused Nos.2 and 3 and sister-in-law of accused Nos.3 and 4.

2) Heard learned counsel for the petitioners/ accused Nos.2 to 5 and 1st respondent—State represented by learned Public Prosecutor before admission and before ordering notice to 2nd respondent—de facto complainant. Perused the material on record.

3) A perusal of the material would show that the de facto complainant filed a private complaint case before the learned Magistrate on 01.06.2015 (sic 2014) for the alleged occurrence in November, 2014 regarding the attempt to kill her by pouring kerosene and tried to lit fire without even date given and the other allegation is accused No.1 married another women by name Fareeda Bee and it is not the case that under Muslim Law more than one marriage is a bigamous. The other allegation as contended by the learned counsel for petitioners is blanket allegation so far as accused Nos.2 to 5 are concerned, but for accused No.1 in specifically demanding for additional dowry or ill-treatment. Undisputedly, investigation is in progress.

Having regard to the above, there are no grounds to stay of further investigation but for to say pending investigation the factual matrix shows the entitlement of concession of regular bail, the Criminal Petition is disposed of giving liberty to petitioners to surrender themselves before the learned Magistrate concerned and move for regular bail with notice to Additional public prosecutor concerned and in such event, the learned Magistrate shall grant bail with necessary conditions on the same day after hearing the APP concerned. Needless to say, at post bail stage, the learned Magistrate shall dispense with the personal appearance of petitioners/ accused Nos.2 to 5 before the learned Magistrate. Further

remedy is left open, in the event of police filing final report and after taking cognizance by the learned Magistrate.

4) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.04.08.2015
Knl

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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Date:10.08.2015

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