

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.12744 of 2014

ORDER:

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The petitioners/A2 to A4 filed this Criminal Petition under Section 482 Cr.P.C., seeking modification of conditions imposed in the order dated 02.09.2014 in CrI.M.P.No.1600 of 2014 in Crime No.114 of 2014 of Repalle Police Station, Guntur District, registered for the offences punishable under Sections 498-A I.P.C. and Sections 3 and 4 of Dowry Prohibition Act.

A perusal of the order dated 02.09.2014 would show that the petitioners were granted anticipatory bail by the learned XI Additional District and Sessions Judge, Tenali. The petitioners were directed to surrender before the Station House Officer, Repalle Police Station within 10 days and on such surrender, they were directed to be released on bail on their executing bond for Rs.10,000/- each with two sureties each for like sum, subject to certain conditions. Thereafter, the petitioners filed CrI.M.P.No.2440 of 2014 seeking modification of the said order and also for extension of time. By an order dated 05.01.2015, the said application was allowed and the petitioners were permitted to surrender before the Station House Officer, Repalle Police Station within five days failing which the petitioners were held liable to face the consequences that follow as per law. Thereafter, the present application is filed seeking relaxation of conditions imposed.

Learned counsel for the petitioners mainly submits that there is a threat to the life of the petitioners if they are surrendered before the concerned police station, hence seeks modification of the order.

Learned Public Prosecutor on instructions submits that A5 appeared before the police pursuant to the notice issued under Section 41-A Cr.P.C., as such the alleged threat is an imagination of the petitioners. He further submits that if really there is a threat of

harassment, the police would have taken steps of arresting the petitioners immediately after expiry of the time granted in the order dated 02.09.2014.

A perusal of the material placed before the Court would show that the petitioners herein are the parents-in-law and sister-in-law of the informant and the above case came to be registered for the offences punishable under Sections 498-A I.P.C. and Sections 3 and 4 of Dowry Prohibition Act. Though, the learned counsel for the petitioners submits that in view of the threat the petitioners may be directed to surrender before the concerned Magistrate, I am not inclined to grant such relief. As stated by the learned Additional Public Prosecutor, if really there is a threat of harassment, the police would have arrested the petitioners immediately after the expiry of ten days time granted in the order dated 02.09.2014. Hence, the request of the petitioners seeking a direction to surrender before the appropriate Court is rejected. But, however, the petitioners shall surrender themselves before the Station House Officer, Repalle Police Station, within a period of two weeks from today and on such surrender they shall be released on the same terms and conditions as imposed in the order dated 02.09.2014 in CrI.M.P.No.1600 of 2014 by the learned XI Additional District and Sessions Judge, Tenali. Further, the learned Public Prosecutor shall advise the Station House Officer to accept the bonds if they are in order. If really the petitioners apprehended that they would be harassed by the police, if they go to Repalli Police Station, they can always take the assistance of their lawyer at the time of executing the bonds.

With the above direction, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

10.03.2015
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