

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.12346 of 2015

ORDER:

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This Criminal Petition is filed by the petitioners-Accused under Section 438 Cr.P.C. seeking to grant anticipatory bail to them in Crime No.218 of 2015 on the file of Kusumanchi Police Station, Khammam District, registered for the offence punishable under Sections 417, 376, 366-A, 312 r/w 109 IPC; Sections 3 & 4 of the Dowry Prohibition Act and Section 6 of the PCFSO Act.

Learned Counsel for the petitioners has sought permission of this Court to withdraw this petition insofar as the 1st petitioner is concerned.

Permission is accorded and the Criminal Petition is dismissed as withdrawn.

Insofar as petitioners 2 and 3-A2 and A3 are concerned, it is the case of the prosecution that A1 got acquaintance with the de facto complainant and he loved her and promised to marry her with the consent of both the families. They informed to their parents and they also accepted. The parents of A1 viz., A2 and A3 and A1 demanded dowry of Rs.30,000/- and received Rs.15,000/-. A1 had sexual intercourse with the de facto complainant, due to which, she became pregnant twice and at the instance of A1, she got it aborted. Thereafter, A1 continued his conjugal life with the de facto complainant and again she became pregnant. While carrying 4th month pregnancy she asked A1 to A3 about marriage, A1 to A3 pressurized her to get it aborted, otherwise they would not arrange the marriage. The de facto complainant did not agree to get abortion. Then they necked out her and she gave birth to a male child at the 9th month pregnancy. Because of the refusal of A2 and A3 to accept her as their daughter-in-law and as they failed to perform her marriage with

A1, even after taking Rs.15,000/- towards dowry, the de facto complainant was constrained to give her son in adoption to one Ginni Venkanna and Nagendhram, who are her relatives. Because of the pressure made by A2 and A3 and refusal made by them to perform her marriage with A1, the de facto complainant was subjected to harassment.

Considering the facts and circumstances of the case, this Court feels that it is not a fit case to grant anticipatory bail to petitioners 2 and 3 at this stage.

Accordingly, the Criminal Petition is dismissed as withdrawn insofar as the 1st petitioner is concerned and the Criminal Petition is dismissed insofar as petitioners 2 and 3 are concerned.

JUSTICE RAJA ELANGO

Dated: 1.12.2015

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