

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.10244 OF 2015

ORDER:

This Criminal Petition is filed by the petitioner- A1, under Section 438 of the Code of Criminal Procedure, seeking to grant bail in CC No.354 of 2015 on the file of I-Additional Judicial Magistrate of First Class, Warangal, arising out of Crime No.46 of 2012 of CID Police Station, Hyderabad, registered for the offences punishable under Sections 498-A, 313, 406 and 506 IPC and 3 & 4 of the Dowry Prohibition Act.

Heard and perused the material available on record.

The case of the prosecution is that the marriage between the petitioner and the de facto complainant was performed in the year 2005. After some time, the petitioner, at the instigation of his family members, started harassing the de facto complainant for additional dowry and also used to beat her.

Learned counsel for the petitioner submitted that the petitioner is residing in USA and as he was shown as absconding in the charge sheet, NBW was issued against him and now he intends to come to India and he is ready to appear before the Court concerned.

In view of the submission made by the learned counsel for the petitioner, this Court is inclined to pass the following order:

The petitioner – A1 is directed to surrender before the Magistrate concerned on or before 31st December 2015 and move an application before the Magistrate concerned to recall NBWs issued against him. Till then, the execution of NBWs issued against the petitioner is suspended. On such surrender and on such application being filed, the learned Magistrate is directed to recall NBWs issued against the petitioner and enlarge him 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. Thereafter, the petitioner shall appear before the trial Court as and when required.

Accordingly, the Criminal Petition is disposed of.

RAJA ELANGO, J

October 12, 2015

KTL

