

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No. 2442 of 2015

ORDER :

The petitioner, who is accused No.1 in Crime No.201 of 2014 of Women Police Station, Cyberabad, filed the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with the above crime registered for the offences punishable under Sections 498-A & 324 IPC and Section 4 of the Dowry Prohibition Act.

The case of the prosecution is as under:

The informant lodged a report stating that her marriage with the petitioner took place on 15.06.2014 at Yadagirigutta in the presence of elders which was a second marriage to both of them. It is stated that the petitioner's first wife died and they have three children while the informant has a female child through his first husband. It is alleged that after the marriage, the petitioner used to consume alcohol and beat the informant. It is stated that the petitioner is involved in a case of death of his first wife and obtained bail in that case. On an occasion, while the petitioner was beating his son the informant went to his rescue, but the petitioner is alleged to have beaten her with an iron rod on her legs. Unable to bear his torture, the informant left the petitioner and went to her parents' house. Then, the petitioner came to her and requested her to join the marital life assuring to look after her well. Even thereafter, the petitioner is alleged to have picked up quarrels with her by demanding her to bring money. The petitioner is also alleged to have made an attempt to kill the informant by tying a wire around her neck apart from beating her with a pestle on her legs causing fracture injuries. Basing on these allegations, the above report came to be lodged.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State.

A perusal of the first information report would disclose that after the marriage,

the petitioner is alleged to have beaten the informant with a pestle on her legs causing fracture injuries by demanding her to bring money and also made an attempt to kill her by tying a wire around her neck which prima facie constitutes the offences alleged against the petitioner. Hence, I am not inclined to consider the request of the petitioner.

Accordingly, the Criminal Petition is dismissed. However, the petitioner if so advised is directed to surrender before the concerned Court and move an application for bail before the appropriate Court after giving prior notice to the Public Prosecutor in which event the same shall be dealt with, in accordance with law, either on the same day or at the earliest.

JUSTICE C. PRAVEEN KUMAR

6th April, 2015

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