

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.10866 of 2016

ORDER:

The petitioner, who is accused No.1, filed the present application under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with Crime No.18 of 2016 of Women Police Station, Kurnool, registered for the offences punishable under Section 498-A IPC and Section 4 of the Dowry Prohibition Act, 1961.

The averments in the First Information Report would show that the marriage of the informant was performed with the petitioner in the month of May, 2013. At the time of marriage, the parents of the informant gave cash of Rs.10.00 lakhs and 20 tolas of gold apart from performing the marriage by spending Rs.6.00 lakhs. After the marriage, both of them lead happy marital life for six months. Later on, all the accused are alleged to have harassed the informant both physically and mentally demanding her to bring additional dowry and the petitioner beat her indiscriminately. Basing on these allegations, the above case came to be registered.

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

Learned counsel for the petitioner submits that the allegations made in the report are false. He further submits that much prior to lodging of report, the informant also lodged a report before Shrungavarapukota Police Station as such the petitioner is entitled for anticipatory bail.

Learned Public Prosecutor opposed the application contending that the allegations in the report do make out a case against the petitioner.

As seen from the record, the marriage of the petitioner with the informant took place in the month of May, 2013. At the time of marriage cash of Rs.10.00 lakhs and 20 tolas of gold were given. Both of them lived happily for six months. The averments in the First Information Report clearly show that the accused demanded additional dowry and also beat the informant indiscriminately. It is true that she lodged a complaint before the Srungavarapukota Police Station about the harassment meted out by her in the hands of accused and after her arrival to Kurnool, she lodged another report before the Women Police Station, Kurnool. A copy of the report alleged to have been lodged before Srungavarapu kota is not placed before the Court and it appears that no crime was registered on the basis of the said report. Hence, I am not inclined to grant anticipatory bail to the petitioner. However, the petitioner, if so advised, shall surrender before the Court concerned and make an application for regular bail, in which event, the same shall be considered on such terms, in accordance with law on the same day.

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

JUSTICE C. PRAVEEN KUMAR

01.08.2016
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