

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.7558 of 2016

ORDER:

This Criminal Petition is filed by the petitioners/A-1 & A-4 under Section 438 Cr.P.C. seeking anticipatory bail in C.C.No.13 of 2016 on the file of IX Metropolitan Magistrate, Cyberabad, Kukatpally at Miyapur, for the offences punishable under Sections 498-A and Sections 3 & 4 of the Dowry Prohibition Act.

Heard and perused the material available on record.

The marriage between the de facto complainant and A-1 was performed on 16.02.2008. At the time of marriage, the complainant's parents gave dowry as per the demand of in-laws. The couple were blessed with one boy. Since then, A-1 and his family members started harassing the *de facto* complainant to bring additional dowry and transfer properties in the name of A-1. As she did not do so, the accused harassed the complainant physically and mentally and left her in Hyderabad and further demanded her to give divorce to A-1. The allegation against the petitioners is that A-1 along with A-2 to A-4 used to harass the de facto complainant demanding additional dowry. Therefore, the de facto complainant filed a private complaint and the same was referred to the police. After completion of investigation, the police filed charge sheet. Hence, the Court below issued NBWs against the petitioners.

Learned counsel for the petitioners submitted that 2nd petitioner is the younger brother of 1st petitioner and he stays at USA and at no point of time, he has stayed along with 1st petitioner and the *de facto* complainant under the same roof and there are no specific allegations attributed against him. Learned counsel further submits that even against the 1st petitioner, there is no evidence except for bald allegations.

Considering the facts and circumstances of the case and in

view of the submissions of the learned counsel for the petitioners, this Court is inclined to pass the following order:

The petitioners/A-1 & A-4 are directed to appear before the Court concerned and file a petition to recall the warrants issued against them and on such filing of a petition, the trial Court is directed to recall the warrants on the same day on their execution of bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with one surety for a like sum each and further the petitioner is directed to appear before the trial Court regularly.

Accordingly, the Criminal Petition is disposed of.

RAJA ELANGO, J

Date: 10th June, 2016

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