

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.2783 OF 2017

ORDER:

This Criminal Petition under Sections 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'), is filed to enlarge the petitioners/A-2 to A-5 on pre-arrest bail since they are apprehending arrest in connection with Crime No.57 of 2016 of Gadwal Town Police Station, Mahboobnagar District.

One J. Shailaja wife of Narasimha Reddy Kothapally lodged a complaint with the police alleging that her husband Narasimha Reddy Kothapally and his relatives A-2 to A-5 subjected her to cruelty for her failure to meet the demand for payment of dowry of Rs.5 lakhs and pressurised the de facto complainant to get the property registered in the name of her husband.

Based on this allegation, the counsel for the petitioners contended that there are no specific allegations against these petitioners and thereby they are entitled to claim pre-arrest bail being the junior paternal uncle and junior paternal aunt, sister and brother-in-law of A-1.

On the other hand, the learned Public Prosecutor for the State of Telangana contended that these petitioners are not co-operating for completion of investigation and though a notice under Section 41-A was issued, the petitioners did not respond to the notice and co-operate for completion of investigation.

When the petitioners are not co-operating for investigation, they are disentitled to claim pre-arrest bail which is purely discretion of the Court.

Therefore, the criminal petition is dismissed.

Consequently, miscellaneous applications pending if any, shall also stand dismissed.

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JUSTICE M. SATYANARAYANA MURTHY

Date:11.04.2017  
ccm



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