

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.3849 OF 2017

ORDER:

The present Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'the Code'), is filed requesting to grant Anticipatory Bail.

2. Heard Sri P. Mehar Srinivasa Rao, learned counsel for the petitioners, and the learned Additional Public Prosecutor for the State of Telangana.

3. The petitioners, who are the mother-in-law and co-sister of the victim - daughter of *de facto* complainant, are arraigned as accused Nos.3 and 5 (arraigned as accused Nos.2 and 3 in the F.I.R.) respectively, in Crime No.223 of 2016 of Ghanpur (W) Police Station, Warangal Commissionarate, registered for the offences punishable under Section 498-A of I.P.C. and Sections 3 and 4 of Dowry Prohibition Act.

4. On hearing the arguments and on perusal of the complaint averments and also the order, dated 04.05.2017, passed in CrI.M.P.No.603 of 2017 by the learned II Additional Sessions Judge, Warangal, based on the statement recorded under Section 164 of the Code by the learned Magistrate, it is a case where involvement of the petitioners in the commission of offences alleged against them cannot be said without *prima facie* material. Since the offence punishable

under Section 307 of I.P.C. was added subsequently, which cannot be ignored at this stage, and as there are two versions coming forward, one in the statement recorded by the police under Section 161 of the Code and the other statement given by the victim herself under Section 164 of the Code to the effect that accused Nos.2 to 5 abused her in filthy language, poured kerosene on her person and set fire to her and also threatened to kill her children, if she intimates the incident to anybody, certainly, disentitle them to the exceptional relief of grant of anticipatory bail.

5. Therefore, the present Criminal Petition is dismissed. Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

July 07, 2017.
MD

A. SHANKAR NARAYANA, J

