

**IN THE HIGH COURT OF JUDICATURE, AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH**

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION NO. 3207 OF 2017

Between:

Mohd. Waheed S/o Mohd. Akber 60 years Occ: retired ASI, R/o
H.No. 8-3-473/1 & H.No. 8-3-459/A, Godamagadda, Karimnagar
District (A-3) and three others.

....Petitioners

A n d

The State of Telangana, represented by Public Prosecutor, High
Court of Judicature at Hyderabad through P.S. Karimnagar II
Town, Karimnagar District.

....Respondent

DATE OF ORDER: 01.06.2017

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO**CRIMINAL PETITION No. 3207 of 2017****ORDER:**

This bail application is filed by petitioners/accused 3,4,6 & 7 under Section 438 Cr.P.C., seeking anticipatory bail.

2. The complainant is the wife of A1. On her complaint, the Police of P.S Karimnagar II Town, registered a case in Crime No. 19 of 2017.

3. A1 is the husband of complainant, A2 is the elder brother, A3 & A4 are parents, A5 is the brother of A3, A6 is the sister of A1, A7 is the husband of A6 and A8 is the wife of A2. The allegations are that the marriage between the complainant and A1 took place on 1.1.2016 at Karimnagar, and at the time of marriage on the demand of accused, the parents of the complainant paid net cash of Rs. 5 lakhs besides 10 tulas of gold and other paraphernalia by spending about Rs. 26 lakhs. The complainant passed B.tech and it was informed that A1 is a permanent settler at Saudi Arabia, and he had a family visa to take his wife. Subsequent to marriage, the complainant came to know that the accused/A1 had no family visa and hence he took his wife on 19.04.2016 through visiting visa. She stayed there for few months. During her stay with her husband, the second accused, who was there, used to physically

abuse her. Though the complainant reported the same to her husband he did not take any action. The complainant returned to India on 18.9.2016, and stayed with her parents-in-law. During that period they harassed her for additional dowry. They tried to perform marriage of A1 with another girl. On 22.9.2016 at about 7.30, the accused in order to kill the deceased, leaked the gas in the kitchen and demanded her to prepare tea. On smelling the gas when she returned, they abused her and forcibly dragged her to kitchen. She rescued herself and returned to her parents and tried to inform her parents by phone but the accused resisted her. In the complaint and also in the statement recorded under Section 161, the complainant has vividly narrated the harassment meted out by the accused.

4. As can be seen from the complaint allegations, there is a strong *prima facie* case against the petitioners/accused and the allegations are not omnibus or general in nature. Learned Public Prosecutor submits that investigation is pending and charge sheet is not yet filed.

5. In these circumstances, it is not a fit case to grant anticipatory bail to the petitioners/accused 3, 4, 6 & 7. However, considering the nature of the case and allegations, the petitioners/accused 3,4,6 & 7 are directed to surrender before the concerned Court and seek for regular bail, in which case the concerned Court shall dispose of the bail application on merits.

6. Accordingly, this Criminal Petition is dismissed. As a sequel there to, miscellaneous applications, pending if any, shall stand closed.

U.DURGA PRASAD RAO, J

Date: 01.06.2017
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