

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.6600 of 2017

ORDER:

This petition is filed under Section 438 Cr.P.C. by the petitioner/accused No.2 seeking pre-arrest bail in Crime No.33 of 2017 on the file of the Station House Officer, Women Police Station, Kurnool District, registered for the offences punishable under Sections 498-A, 354 IPC and Section 4 of Dowry Prohibition Act.

2. Learned counsel for the petitioner submitted that the petitioner was falsely implicated in this case. ***Per contra***, learned Additional Public Prosecutor submitted that the allegations made in the complaint *prima facie* constitute the offence alleged to have been committed by the petitioner.

3. As per the case of the prosecution, the marriage of A1 was performed with the *de facto* complainant on 22.11.2013 as per Hindu rites and caste customs in Bangalore. It is the case of the prosecution that the petitioner along with other accused subjected the *de facto* complainant to cruelty for additional dowry. It is the further case of the prosecution that the petitioner made an attempt to outrage the modesty of the *de facto* complainant. The petitioner filed CrI.M.P.No.965 of 2017 on the file of the Court of IV Additional District and Sessions Judge, Kurnool, under Section 438 Cr.P.C. and the same was dismissed on 07.07.2017. A perusal of the record

prima facie reveals that taking advantage of the absence of A1, the petitioner made an attempt to outrage the modesty of the *de facto* complainant. The petitioner is none other than the own brother-in-law (sister's husband) of A1. A perusal of the record reveals that the investigation is in progress.

4. Taking into consideration the nature of the offence alleged to have been committed by the petitioner and the stage of investigation, this Court is of the considered view that it is not a fit case to grant pre-arrest bail to the petitioner.

5. In the result, the criminal petition is dismissed.

Date:29.08.2017
Rns

T.SUNIL CHOWDARY, J



