

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.11689 OF 2017

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), is filed by the petitioner/accused for grant of anticipatory bail in the event of his arrest in connection with Crime No.172 of 2017 of Ramachandrapuram Police Station, East Godavari District, registered for the offences punishable under Section 498A I.P.C. and Sections 3 and 4 of Dowry Prohibition Act.

2. Heard learned counsel for the petitioner/accused, learned Public Prosecutor representing the respondent-State and perused the record.

3. Learned counsel for the petitioner would submit that the petitioner is an innocent person and falsely implicated in this case.

4. Learned Public Prosecutor opposed the grant of bail to the petitioner/accused.

5. The material on record reveals that the *de facto* complainant is the wife of the petitioner/accused, whose marriage took place on 21.09.2005. Lot of money was given as dowry in that marriage. Thereafter, the petitioner/accused continuously harassed the *de facto* complainant to get money from her parents. On one occasion, the parents of the *de facto* complainant gave Rs.1,00,000/- by selling two buffaloes. The petitioner did not stop his demand and continuing the same. The petitioner and *de facto* complainant has got 10 years old girl. On 06.09.2017 also, the petitioner demanded the *de facto* complainant to get Rs.1,00,000/- from her parents

and also threatened her that he would pour acid and kill her. Such utterance was made on several occasions.

6. There are grave allegations against the petitioner/accused. The release of the petitioner/accused on bail would hinder the investigation. There is possibility of causing disappearance of the material evidence. Under these circumstances, the petitioner/accused is not entitled to bail under Section 438 Cr.P.C.

7. Hence, the Criminal Petition is dismissed.

Dr. SHAMEEM AKTHER, J

December 06, 2017
MD



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