

The Hon'ble Dr. Justice Shameem Akther

Criminal Petition No.11932 of 2017

Order:

Heard learned Counsel for the petitioner/accused No.1, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

This Criminal Petition, under Section 438 Cr.P.C., is filed by the petitioner/accused No.1, seeking anticipatory bail in the event of his arrest in connection with Crime No.251 of 2017, on the file of the Cheepurupalli Police Station, Vizianagaram District, registered for the offences punishable under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

The learned Counsel for the petitioner/accused No.1 would submit that the petitioner is an innocent person; he is falsely implicated in this case; he is a Government servant; his arrest and remand to judicial custody would result in his suspension from service and ultimately, prayed to allow this Application.

The learned Public Prosecutor opposed for grant of bail to the petitioner/accused No.1.

A perusal of the report lodged by the defacto complainant with the Police on 01-11-2017 reveals that her marriage with the petitioner/accused No.1 was performed two years back; her parents gave cash, gold and other household articles towards dowry;

thereafter, the petitioner/accused No.1 developed illegal intimacy with one Madugulka Dhanalaxmi and started harassing the defacto complainant mentally and physically; and in spite of several panchayats, there was no change in the attitude of the petitioner/accused No.1. The allegation of dowry harassment is also made against the petitioner/accused No.1.

The gravity of the offences alleged against the petitioner/accused No.1 is high. Grant of anticipatory bail to the other accused in the said Crime is not a ground to allow this Application. The matter requires thorough investigation; release of the petitioner at this stage would hinder the investigation; and there is every possibility of his threatening and winning over the witnesses. Therefore, it is not a fit case to release the petitioner on bail under Section 438 Cr.P.C.

The Criminal Petition is, accordingly, dismissed.

(Dr.Shameem Akther, J)

Dated: 12-12-2017
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