

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

WEDNESDAY, THE FOURTEENTH DAY OF MARCH,
TWO THOUSAND AND EIGHTEEN
: PRESENT:

THE HON'BLE SMT JUSTICE **T.RAJANI**

CRIMINAL PETITION Nos. 1924 & 1927 of 2018

Crl.P.No. 1924 of 2018:

Between:

1. Sri Ramchandraiah Sangeri, S/o. Late Gangaiah
2. Smt. Prameela, W/o. Ramchandraiah
3. Smt. Sangeri Geetha, W/o. Th.Sai Krishna

Petitioners
(Accused 2,3 & 5 in Cr.No.28/2018
of L.B.Nagar P.S., Rachakonda Commissionerate)

AND

The State of Telangana, rep by its Public Prosecutor, High Court of Judicature at Hyderabad, for the State of Telangana and the State of Andhra Pradesh.
Respondent/Complainant

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in the grounds filed therein, the High Court may be pleased to direct the Station House Officer of L.B.Nagar Police Station of Rachakonda Commissionerate to release the Petitioners/Accused No. 2,3 & 5 on bail in the event of their arrest in connection with Crime No. 28/2018 on the file of L.B.Nagar Police Station of Rachakonda Commissionerate.

The Petition coming on for hearing, upon perusing the petition and the grounds filed herein and the order of the High Court dated. 08-03-2018 made herein and upon hearing the arguments of Sri Y.Ashok Raj, Advocate for the Petitioners and of the Public Prosecutor (TG) for the Respondent.

Crl.P.No. 1927 of 2018:

Between:

1. Sri Sangeri Mallesh, S/o. Late Gangaiah
2. Smt. Sangeri Yadamma, W/o. Sangeri Mallesh
3. Smt. Sangeri Madhavi, W/o. S.Kiran Kumar
4. Smt. Soma Jyothi, W/o. S.Naga Srinivasulu

Petitioners
(Accused 4,6,7 & 8 in Cr.No.28/2018
of L.B.Nagar P.S., Rachakonda Commissionerate)

AND

The State of Telangana, rep by its Public Prosecutor, High Court of Judicature at Hyderabad, for the State of Telangana and the State of Andhra Pradesh.
Respondent/Complainant

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in the grounds filed therein, the High Court may be pleased to direct the Station House Officer of L.B.Nagar Police Station of Rachakonda Commissionerate to release the Petitioners/Accused No. 4,6,7 & 8 on bail in the event of their arrest in connection with Crime No. 28/2018 on the file of L.B.Nagar Police Station of Rachakonda Commissionerate.

The Petition coming on for hearing, upon perusing the petition and the grounds filed herein and the order of the High Court dated. 08-03-2018 made herein and upon hearing the arguments of Sri Y.Ashok Raj, Advocate for the Petitioners and of the Public Prosecutor (TG) for the Respondent, the Court made the following

ORDER:

“ The petitions are filed, under Section 438 of the Criminal Procedure Code, seeking grant of anticipatory bail to the petitioners, who are A2, A3, A5 and A4, A6 to A8 respectively, in Cr.No.28 of 2018 on the file of the Station House Officer, L.B. Nagar Police Station, Rachakonda Commissionerate. The offences alleged are under Sections 498-A, 420 read with Section 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

2. Heard the counsel for the petitioners and the Public Prosecutor appearing for the respondent.

3. The case of the prosecution is that the daughter of the defacto complainant and A1 got married and after marriage, they started their marital life at USA. A1 started behaving adamantly with his wife and told her that he was not interested in getting married and that only on the pressure of his parents, he accepted for the marriage. Out of twenty months period of the marriage, the daughter of the defacto complainant was kept away for about fourteen months on account of her studies. During the 3½ months, in which she stayed with A1, he never treated her as his wife and tortured her without any valid reason. He filed divorce petition in the Court at USA. The allegations against the parents-in-law are that they suppressed the real facts about the character of their son and made them to accept for marriage. All the allegations in the complaint are only against A1. One allegation against the petitioners is that the daughter of the defacto complainant informed her agony to her Smt. Prameela, mother-in-law (A3) and her co-sister, Smt. Yadamma (A6) and when the defacto complainant talked to Sri Mallesh (A4), head of the joint family and Sri Ramachandraiah (A2), they told that they would talk to A1 and convey him to behave properly, but they along with their wives and daughters, demanded additional dowry. The further allegation is that Smt. Prameela and Smt. Yadamma used to scold his daughter, stating that if there is any wrong with A1, she should keep it in her mind and should not reveal to her parents.

4. The manner in which the allegations are made against the petitioners does not inspire confidence that the allegations are true, as, at one stage, the allegation is that the accused promised to talk to A1 and immediately, there is an allegation that they demanded additional dowry, which does not seem to be consistent.

5. The counsel for the defacto complainant, who got impleaded by virtue of the aforesaid orders, contended that this is not only a case of 498-A IPC but it is a case of cheating and that all the petitioners have cheated the defacto complainant and his daughter. In that regard, he relies on some messages exchanged between A1, A5, A7 and the daughter of the defacto complainant.

6. The conversation between A1 and the daughter of the defacto complainant need not be considered as he is not before this Court in these petitions. With regard to the conversations with A5 and A7, it can be seen that there is absolutely nothing, which would support the allegations made in the complaint. It also shows that the daughter of the defacto complainant has been confiding in them and disclosing things about A1 also to them. It also shows that A5 and A7 were sharing the agony of the daughter of the defacto complainant. Hence, this Court opines that there is absolutely no case made out against the petitioners and it is a fit case for grant of anticipatory bail to the petitioners.

Hence, the criminal petitions are allowed. The petitioners are directed to surrender before the Station House Officer, L.B. Nagar Police Station, Rachakonda Commissionerate within 15 days from the date of this order. On such surrender, the petitioners shall be released on bail on each of them executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer. Further, on such release, the petitioners shall abide by the conditions mentioned under Section 438(2) Criminal Procedure Code, as under:

..3..

1. The petitioners shall make themselves available for interrogation by a police officer as and when required.
2. The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
3. The petitioners shall not leave India without the previous permission of the Court.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.”

ASSISTANT REGISTRAR

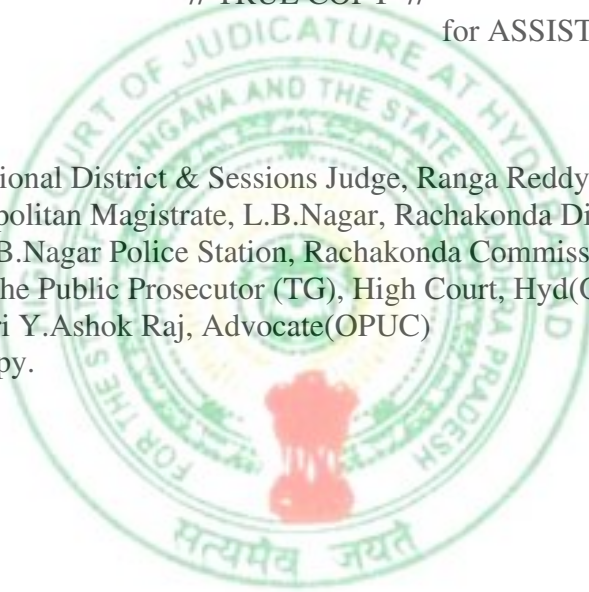
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for ASSISTANT REGISTRAR

To

1. The III Additional District & Sessions Judge, Ranga Reddy District at L.B.Nagar.
2. The II Metropolitan Magistrate, L.B.Nagar, Rachakonda District.
3. The SHO, L.B.Nagar Police Station, Rachakonda Commissionerate.
4. Two CCs to the Public Prosecutor (TG), High Court, Hyd(OUT)
5. One CC to Sri Y.Ashok Raj, Advocate(OPUC)
6. One spare copy.

SAH



HIGH COURT

TRJ

DATED: 14-03-2018

ORDER

CRL.P.NOS. 1924 & 1927 OF 2018



ANTICIPATORY BAIL

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 14-03-2018

HIGH COURT

TRJ



DATED: 14-03-2018

ORDER

CRL.P.NOS. 1924 & 1927 OF 2018

ANTICIPATORY BAIL