

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

WEDNESDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND EIGHTEEN

:PRESENT:

THE HON'BLE SMT. JUSTICE T.RAJANI

CRLP .NO: 2360 of 2018.

Between:

Kalicheti Venugopal Reddy S/o. Narayan Reddy

..... Petitioners/Accused

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/Defacto Complainant

Petition under Section 438 of Cr.P.C. praying that in the
circumstances stated in the petition filed herein, the High Court may be pleased
to enlarge the Petitioner on bail in connection with C.C.No.743 of 2012 on the file
of the VII Metropolitan Magistrate, Cyberabad at Hayatnagar, Hyderabad arising
out of Crime No.355 of 2010 of P.S. Vanasthalipuram, Hyderabad by recalling the
NBW issued by the learned VII Metropolitan Magistrate, Cyberabad at
Hayatnagar.

The petition coming on for hearing, upon perusing the Petition and
the grounds filed in support thereof and upon hearing the arguments of
Sri A Hariprasad Reddy, Advocate for the Petitioner, and of Public Prosecutor(TG)
for the respondent, the Court made the following.

ORDER

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.2360 OF 2018

ORDER:

This Criminal Petition is filed seeking for grant of anticipatory bail to the petitioner, who is accused No.1, in Crime No.355 of 2010 on the file of the Station House Officer, Vanasthalipuram Police Station, Cyberabad District.

2. The offences alleged are under Sections 498-A and 506 of I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

3. Heard the learned counsel for the petitioner, learned Public Prosecutor appearing for the respondent-State, and perused the record.

4. Learned counsel for the petitioner submits that the complaint was originally lodged against the accused Nos.1 to 4. The case against this petitioner was split up, as he was residing in New Zealand. The case against the other accused was tried and except accused No.3, all other accused were acquitted. Thereafter, accused No.3 went in Appeal, wherein the judgment of the lower Court convicting him was reversed. Learned counsel submits that the petitioner and the de-facto complainant are husband and wife, who lived in New Zealand, and when the de-facto complainant became pregnant, she returned to her parents' house in India and did join the petitioner at New Zealand, in spite of his repeated requests. Aggrieved by which, the petitioner filed a case for divorce at New Zealand and, after issuance of notice, the marriage between the petitioner and the de-facto complainant was dissolved. Then the de-facto complainant lodged this complaint against this petitioner and his family members. He further submits that the de-facto complainant subsequently married one Jeevan Kumar at Auckland, New Zealand on 12.12.2013.

5. Learned Public Prosecutor does not refute those submissions.

6. Hence, from the above, it can be understood that the de-facto complainant did not have any grouse till the petitioner filed the divorce petition.

T.Rajani

7. Hence, in the light of the above, this Court is inclined to grant anticipatory bail to the petitioner/accused No.1. Accordingly, the Criminal Petition is allowed and the petitioner/accused No.1 is directed to surrender before the VII Metropolitan Magistrate, Cyberabad at Hayathnagar, within 15 days from the date of this order. On such surrender, the petitioner/accused No.1 shall be released on bail on his 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 Magistrate. Further, on such release, the petitioner/accused No.1 shall abide by the conditions mentioned under Section 438(2) Cr.P.C., as under:

- 1) The petitioner shall make himself available for interrogation by a police officer as and when required;
- 2) The petitioner 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/her from disclosing such facts to the Court or to any police officer; and
- 3) The petitioner shall not leave India without the previous permission of the Court.

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

SD/- K. TATA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

- To
1. The VII Metropolitan Magistrate, Cyberabad at Hayathnagar, Hyderabad
 2. The Station House Officer, Vanasthalipuram Police Station, Cyberabad.
 3. Two CCs to the Public Prosecutor (TG), High Court at Hyderabad (OUT)
 4. One CC to Sri A Hariprasad Reddy, Advocate (OPUC)
 5. One spare copy.
- Gk

HIGH COURT

TR,J

DATED: 07.03.2018

ORDER:

CRLP. NO:2360 of 2018

DIRECTION



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