

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.135 of 2012

ORDER:

This petition is filed, seeking for quash of the proceedings against the petitioner, who is A2, in Crime No.454 of 2011 on the file of Amberpet Police Station, Hyderabad District. The offences alleged against the petitioners are under Sections 420, 406, 120(B) and 506 r/w 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act.

2. Heard the counsel for the petitioner and the Public Prosecutor, appearing for the 1st respondent. None appears for the 2nd respondent in spite of notice.

3. A perusal of the complaint would show that though several allegations are made, the main allegation is that after fixing alliance, the accused failed to marry the daughter of the complainant. The complaint also shows that the son-in-law of the complainant, who is also A5 in this case, gave an SMS to the mobile number of the complainant, asking to deposit Rs.5 lakhs towards dowry.

4. *Prima facie*, the allegations would attract the alleged offence. Hence, unless the investigation and trial goes on, it cannot be said that the petitioner would be entitled for quashing of the further proceedings.

5. Considering the above, the Criminal Petition is dismissed. However, the police are directed to comply with the provisions of

Section 41A Cr.P.C. before effecting the arrest of the petitioner.
Interim stay granted by this court, dated 06.01.2012, shall stand vacated.

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

T. RAJANI, J

August 14, 2018
LMV

