

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.4287 OF 2018

ORDER:

This petition is filed under Section 438 of Criminal Procedure Code (for short "Cr.P.C.") by the petitioner/A.1, apprehending his arrest, in Crime No.43 of 2018 on the file of Saroornagar Women Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 498-A, 354, 384 and 506 of Indian Penal Code (for short "I.P.C.") and under Sections 4 and 6 of Dowry Prohibition Act, 1961 to direct the Station House Officer, Saroornagar Women Police Station, to release him on bail in the event of his arrest in connection with the above crime.

The petitioner is the husband of the *de facto* complainant. The specific allegation made against the petitioner and other accused is that they demanded additional dowry and to sale of the property. It is also alleged that they took 80 tulas of family jewellery, 3 kgs of silver, and furniture at the time of marriage, still they are demanding additional dowry. Based on such specific overt acts, police registered a crime against the petitioner and other accused.

Learned counsel for the petitioner contended that the petitioner is permanent resident of Karmanghat, Hyderabad, hence the question of fleeing away from justice would not arise and that the offences allegedly committed by the petitioner and the other accused are not punishable with imprisonment with life or capital punishment and so far '7' witnesses were examined and requested to release the petitioner on pre-arrest bail.

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Learned Public Prosecutor for the State of Telangana opposed the petition on the ground that the investigation is not totally completed and that the petitioner is not cooperating with the investigating agency.

The petitioner is prime accused against whom specific allegations are made and the material so far collected by the investigating agency, *prima facie*, pointing out complicity of this petitioner.

Therefore, I am not inclined to enlarge the petitioner on pre-arrest bail at this stage.

In the result, the criminal petition is dismissed.

M. SATYANARAYANA MURTHY, J

18.04.2018
BV

