

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.4464 OF 2018

ORDER:

This criminal petition, under Section 438 of the Code of Criminal procedure, 1973 (for short 'Cr.P.C'), is filed by the petitioners/A.2 to A.6 to issue a direction to the Station House Officer, Women Police Station, Rajamahendravaram, East Godavari District, to release them on bail in the event of their arrest in connection with Crime No.28 of 2018 registered for the offence punishable under Sections 498-A read with 34 of the Indian Penal Code, 1860 and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

The petitioners 1 and 2 are the in-laws, petitioners 3 to 5 are the brother-in-laws, and A.1 is the husband, of the *de facto* complainant.

The main allegations against the petitioners are that they subjected the *de facto* complainant to cruelty for her failure to meet the illegal demand for payment of dowry, both physically and mentally and necked out from the house.

It is the contention of the petitioners that they are implicated falsely.

Learned counsel for the petitioners after arguing the matter for sometime, requested this Court to direct the police to follow the procedure laid down under Section 41-A of Cr.P.C and guidelines formulated by the Apex Court in **Rajesh Sharma v. State of U.P.**¹

¹ 2017 (2) ALT (Cri.) 393 (SC)

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Acceding to the request of the learned counsel for the petitioners, without touching the merits, I find that it is a fit case to issue direction to the police to follow the procedure laid down under Section 41-A of Cr.P.C and the guidelines issued by the Apex Court in **Rajesh Sharma** case (referred supra). Accordingly, police concerned are directed to adhere to the guidelines issued in **Rajesh Sharma** case (referred supra).

With the above direction, the criminal petition is disposed of.

M. SATYANARAYANA MURTHY, J

Date: 23.04.2018
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