

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.6937 OF 2018

ORDER:

The petitioner is A1 among five accused in Crime No.18 of 2018 on the file of the Steel Plant Police Station, Visakhapatnam District. The crime is registered on 20.02.2018 for the offences punishable under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act.

2. The *de facto* complainant is no other than the wife of petitioner-A1. The petitioner according to the cause title and the bail application averments is working in Dubai and staying there. As per the report of *de facto* complainant supra, there are acts of cruelty with demand for dowry. The contentions in the bail application are that it is a false report given against the petitioner-A1 by his wife.

3. Heard the learned counsel for petitioner and the learned Public Prosecutor and perused the material on record.

4. The learned Public Prosecutor opposed the bail application saying the petitioner not even landed down in India cannot seek anticipatory bail.

5. Having regard to the above, to subserve the ends of justice, this Criminal Petition is disposed of with a direction to the police not to arrest the petitioner for a period of fifteen (15) days from today, so that in the meantime he shall come

down and move for regular bail before the learned Magistrate concerned by surrender with assurance of availability for future in said crime. It is needless to say he can ask not only protection under Section 41-A Cr.P.C. as laid down by the Apex Court in **Arnesh Kumar v. State of Bihar**¹ and referring the matter for conciliation as per the guidelines in the expression of Apex Court in **Rajesh Sharma v. State of U.P.**².

Dr. B. SIVA SANKARA RAO, J

Date:31.07.2018
usd



¹ (2014) 8 SCC 273

² 2017 (2) ALT (Cri.) 393 (SC)