

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.12813 OF 2017

ORDER:

This Criminal Petition is filed under Section 438 Cr.P.C. seeking to grant anticipatory bail to the petitioner-A.1 in Crime No.382 of 2017 of Huzurnagar police station, Suryapet district registered for the offences punishable under Sections 307, 498A read with 34 IPC and 3 and 4 of the Dowry Prohibition Act, 1961.

2. Heard the learned counsel for the petitioner-A.1, the learned Additional Public Prosecutor and perused the material available on record.

3. The learned counsel for the petitioner-A.1 would submit that the petitioner-A.1 is innocent person and falsely implicated in this case; that there is no attempt to commit murder or harassment by the petitioner-A.1, as alleged by the prosecution and ultimately, he prayed to allow the application.

4. On the other hand, the learned Additional Public Prosecutor appearing for the respondent-State opposed the grant of bail to the petitioner-A.1 under Section 438 Cr.P.C.

5. In view of the contentions put forth by both sides, the point for determination is whether the petitioner-A.1 can be granted bail under Section 438 Cr.P.C.?

6. There are specific and grave allegations against the petitioner-A.1 that he beat his wife demanding additional dowry and made an attempt to do away with her life. There is also allegation of pouring pesticide liquid in the mouth of the defacto complainant, and that she raised hue and cry, ran out of the house, was hospitalized and took treatment. On a

report lodged by her, this case is registered and under investigation. There is no reason for the wife of the petitioner-A.1 to lodge a false report against her husband. The allegations are grave in nature. Granting of anticipatory bail to other accused is not a ground to the petitioner-A.1 to grant the bail. There is no reason to hold that the petitioner-A.1 is innocent person and falsely implicated in this case. There are no justifiable grounds to enlarge the petitioner-A.1 on bail under Section 438 Cr.P.C. The Criminal Petition is devoid of merit and liable to be dismissed.

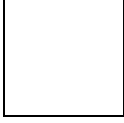
7. In the result, the Criminal Petition is dismissed.

Date: 3.1.2018
DRK

Dr. SHAMEEM AKTHER, J



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Cr1.P. No. 12813 OF 2017

3.1.2018

DRK