

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.34 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), is filed by the petitioner/accused No.1 for grant of anticipatory bail in the event of his arrest in Crime No.621 of 2018 of Women Police Station, CCS, DD, Hyderabad, registered for the offences punishable under Sections 498A and 406 I.P.C.

2. Heard learned counsel for the petitioner/accused No.1, learned Additional Public Prosecutor representing the respondent/State and perused the record.

3. Learned counsel for the petitioner would submit that the petitioner is an innocent person and falsely implicated in this case. The other accused in this case were already granted bail under Section 438 Cr.P.C. He would also submit that due to monetary disputes, the subject crime is registered and ultimately, prayed to allow the petition.

4. The learned Additional Public Prosecutor opposed the grant of bail to the petitioner/accused No.1.

5. The material placed on record reveals that the *de facto* complainant, Rajawala Swapna, is the wife of petitioner/accused No.1. She is an employee drawing a monthly salary of Rs.25,000/-. She has a son aged 17 months. She gave her salary to the petitioner till November, 2017 and thereafter, she stopped giving salary to the petitioner and used to spend the money to meet her

house-hold expenses, such as paying rent etc. When the payment of salary was stopped, the petitioner started abusing and ill-treating her and indulged in cruelty against her. In spite of advising him, he did not change his attitude. There is also specific allegation of threat to kill the *de facto* complainant and her son.

6. There are grave allegations against the petitioner. Investigation is under progress. Custodial interrogation is necessary. Hence, there are no grounds to grant anticipatory bail to the petitioner under Section 438 Cr.P.C.

7. Accordingly, the Criminal Petition is dismissed.

Dr. SHAMEEM AKTHER, J

January 04, 2019.
MD