

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1666 OF 2019

ORDER:

This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), is filed by the petitioner/accused No.1 for grant of bail in Crime No.238 of 2018 of Suryapet II Town Police Station, Suryapet District, registered for the offences punishable under Sections 498A and 420 I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961, and Section 3 (1) (r) (s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (for short, 'the Act').

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

3. Learned counsel for the petitioner/accused No.1 would submit that there is no material to establish that the petitioner/accused No.1 used to marry woman one after the other; that the said allegation is not based on any record; that the petitioner/accused No.1 was remanded to judicial custody on 05.03.2019; that most part of the investigation is completed and ultimately, prayed to allow the petition.

4. Learned Additional Public Prosecutor opposed the grant of bail to the petitioner/accused No.1 and would submit that the petitioner/accused No.1 used to marry woman one after the

other and deceive them; that the petitioner/accused No.1 caused mental and physical torture to respondent No.2/*de facto* complainant and ultimately, prayed to dismiss the petition.

5. As per the material placed on record, the petitioner/accused No.1 is in the habit of marrying woman one after the other without taking divorce from the earlier wife. As per the F.I.R, dated 02.10.2018, marriage between the petitioner/accused No.1 and respondent No.2/*de facto* complainant is said to be a third one. There are allegations of suppression of material facts. There is also allegation of demand of Rs.3,00,000/- as additional dowry. There is also allegation of torturing respondent No.2/*de facto* complainant mentally and physically, apart from the allegation of abusing respondent No.2/*de facto* complainant in the name of her Caste. The matter is under investigation. The release of petitioner/accused No.1, at this stage, would certainly hinder the investigation. Under these circumstances, it is not a fit case to consider the bail application of the petitioner/accused No.1 under Section 439 Cr.P.C.

6. Accordingly, the Criminal Petition is dismissed.

Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

Dr. SHAMEEM AKTHER, J

April 01, 2019.
MD