

HONOURABLE SRI JUSTICE SANJAY KUMAR

CRIMINAL PETITION No.2163 OF 2019

ORDER:

1 The petitioner is A.1 in Crime No.613 of 2018 registered on the file of Bachupalli Police Station, Cyberabad Commissionerate, under Sections 498-A and 420 IPC and Sections 3 and 4 of Dowry Prohibition Act, 1961. By way of this petition, he seeks anticipatory bail under Section 438 CrPC.

2 Perusal of the record reflects that specific allegations have been made by the complainant-wife against the petitioner / A.1. The learned Assistant Public Prosecutor, State of Telangana, would inform this Court that as the father of the petitioner /A.1 failed to comply with the terms and conditions of the Section 41-A CrPC notice issued to him, he was arrested and thereafter enlarged on bail. It may however be noted that even if the offences alleged against the petitioner / A.1 are made out, they would not entail imprisonment in excess of seven years, in terms of Section 31 CrPC. In that view of the matter, the law laid down by the Supreme Court in Arnesh Kumar v. State of Bihar¹ shall stand attracted.

3 The Criminal Petition is accordingly disposed of directing the police concerned to abide by and implement the directions of the Supreme Court, set out in Para Nos.11.2 to 11.6 of Arnesh Kumar¹, in so far as the petitioner /A.1 is concerned.

JUSTICE SANJAY KUMAR

April 29, 2019.
Kvsn

¹ (2014) 8 SCC 273