

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3529 of 2019

ORDER :

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioner, who is Accused No.1, seeking anticipatory bail in Crime No.201 of 2019 of Osmania University Police Station, Hyderabad, registered for the offences punishable under Sections 498-A and 307 r/w. Section 34 of IPC.

The case of the prosecution is that, on 15.05.2019 at 14.00 hours, the defacto complainant has lodged a complaint stating that she got married to one Jashwanth Reddy in the year 2010 and she was blessed with a Baby girl, who is aged about 7 years, that after expiry of her husband Jashwanth Reddy in the year 2015, the father of the petitioner/A.1 approached her family members through Marriage Bureau for marriage of his son with her and her second marriage was performed with the petitioner/A.1 on 30.08.2018 and after the marriage, she started staying with her second husband/A.1, that thereafter her second husband and her father-in-law started harassing her mentally and physically for dowry and her second husband used to come home in a drunken condition and used to assault her, that on 15.05.2019 her second husband came home in a drunken condition and assaulted her and tried to kill her by using chunni around her neck, however, she could save herself and

hence requested to take necessary action against the Accused. Basing on the said complaint, the police registered the above Crime No.201 of 2019 for the aforesaid offences against the petitioner/A.1 and his father/A.2.

Heard learned counsel for the petitioner/A.1 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioner/A.1 contends that the allegations levelled against the petitioner are all false and concocted just for the purpose of this case and the petitioner is innocent of the offences alleged against him. Learned counsel for the petitioner further contends that there is no marriage took place between the petitioner and the defacto complainant and, therefore, the question of demanding dowry does not arise. It is further contended that the defacto complainant and the petitioner were in touch with each other since long time and as the defacto complainant was aware of the family issues of the petitioner, she started showing sympathy towards him and thus they used to meet frequently and taking advantage of the same, she filed the present false case against the petitioner. It is further contended that due to the acquaintance with each other, they used to stay together and later on the defacto complainant started blackmailing the petitioner. It is also contended that unable to bear the harassment of the defacto complainant, the father of the petitioner had executed a sale deed in respect of certain

property in favour of the petitioner and the defacto complainant in the year 2018 and again the defacto complainant started harassing the petitioner only to get the said property transferred in her name. It is further contended that the petitioner is ready to abide by any of the conditions imposed by this Court and would cooperate with the investigation, if he is released on anticipatory bail in the event of his arrest in connection with the aforesaid crime.

On the other hand, the learned Additional Public Prosecutor vehemently opposed the relief sought in the above petition.

A perusal of the contents of the complaint and the record discloses that there are specific allegations of physical and mental harassment and also demanding of dowry levelled against the petitioner/A.1. Therefore, in view of the serious allegations made against the petitioner/A.1 and keeping in view the gravity of offences, I am not inclined to grant anticipatory bail to the petitioner/A.1.

Accordingly, the Criminal Petition is dismissed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE G. SRI DEVI

05.07.2019.
Msr

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