

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5632 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/accused, seeking to grant anticipatory bail in Cr.No.218 of 2019 on the file of Jubilee Hills Police Station, Hyderabad District, registered for the offences under Sections 420, 417 and 323 IPC.

2. Heard learned counsel for the petitioner/accused, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. It is alleged in the complaint that due to disputes, the de-facto complainant got separated from her husband after four years of their marriage and thereafter, she met the petitioner/accused about 7 years ago and on his promise to marry her, they were in living relationship and during that time, the petitioner took a sum of Rs.2 lakhs and 4 tulas of gold from her for some reason, but he did not return the same and that on 01.04.2019, on information given by the petitioner that he would pay the amount and gold, she went to Begumpet in an auto and when she reached there, the accused beat her with hands.

4. Learned counsel for the petitioner/accused submits that the allegations made in the complaint are all false and concocted with an ulterior motive and illegal gain. He further submits that the complaint was lodged with a delay of 24 hours before Jubilee Hills Police

Station though the cause of action took place at Begumpet, Hyderabad. He further submits that the petitioner is law abiding citizen and is ready to abide by the terms and conditions imposed by the Court.

5. As per the contents of FIR, there are specific allegations leveled against the petitioner that under the garb of marrying the de-facto complainant, he had relationship with her and took a sum of Rs.2 lakhs and 4 tulas of gold and without returning the same, he assaulted her. Hence, I am not inclined to grant anticipatory bail to him and his prayer for anticipatory bail is refused. However, if the petitioner/accused surrenders before the trial Court within 15 days from today and files an application for bail, the same shall be considered in accordance with law.

6. Accordingly, the Criminal Petition is dismissed.

7. Miscellaneous applications, if any pending in this criminal petition, shall stand dismissed.

17th September, 2019

G. SRI DEVI, J

sj