

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5861 of 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by petitioner/A1, seeking to grant anticipatory bail in Crime No.739 of 2019 of Uppal Police Station, Rachakonda Commissionarate, Ranga Reddy District, registered for the offences under Sections 498-A and 494 IPC and Sections 3 and 4 of the Dowry Prohibition Act.

2. Heard learned counsel for the petitioner/A1, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. In the complaint it is alleged that the marriage of the *de facto* complainant was performed with the petitioner on 01.3.2009; that during their wedlock, they were blessed with one male child; that the petitioner-accused No.1 and his parents-accused Nos.2 and 3 harassed her, as such *de facto* complainant lodged a case against them in the year 2014 and the matter was compromised; that however, the attitude of the petitioner-accused No.1, accused Nos.2 and 3 has not changed and they again started harassing her mentally and physically for want of additional dowry.

4. In the affidavit, filed in support of the bail application, it is *inter alia* averred that neither the petitioner nor his parents ever demanded any additional dowry and they never asked any property documents of the *de facto* complainant; that the aforesaid case is

filed on false and frivolous grounds. He would further submit that the petitioner never married one P.Sirisha nor he has brought the said lady to his house; that the de facto complainant was always quarelling over petty issues and suspecting petitioner No.1 and that unable to bear her harassment, petitioner No.1 filed a petition for divorce and as a counter-blast to the said case, the present case has been filed against the petitioner and his family members with false allegations; and that there is no evidence to show that petitioner No.1 married one P.Sirisha.

5. Learned counsel for the petitioner/A1 would submit that the petitioner is a law abiding citizen and is ready to furnish sufficient security for his appearance during investigation, inquiry and trial and that if the petitioner is arrested, he will lose his job and much prejudice will be caused to him and therefore, he prayed to grant anticipatory bail to the petitioner.

6. Learned Additional Public Prosecutor has filed a detailed counter refuting the contentions raised in the anticipatory bail application and submitted that the petitioner brutally assaulted the *de facto* complainant; that the petitioner again married one P.Sirisha; that the petitioner used to physically and mentally harass the de facto complainant on each and every occasion and therefore, the petitioner is not entitled for grant of anticipatory bail.

7. As seen from the photographs filed along with the counter-affidavit, there are bruises on the body of the de facto complainant, to which the petitioner has no explanation and the other photographs would show that the petitioner has got close intimacy with one lady,

who is stated to be one P.Sirisha and he is leading marital life with the said lady during the subsistence of first marriage with the de facto complainant.

8. Thus, having regard to the nature of the allegations levelled against the petitioner and his involvement in the alleged offences, I am not inclined to release the petitioner on anticipatory bail.

9. The application is accordingly dismissed.

10. Miscellaneous applications, if any pending in this criminal petition, shall stand closed.

26th September 2019
dr

JUSTICE G. SRI DEVI

