IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF DECEMBER, 2020

BEFORE

THE HON'BLE MR. JUSTICE SREENIVAS HARISH KUMAR

CRIMINAL PETITION NO.7402 OF 2020

BETWEEN:

1. Sri. Mohan Kumar R.,
S/o. Late Ramachandraiah,
Aged about 42 years,

2. Smt. Rudramma T.,
W/o. Late Ramachandraiah,
Aged about 65 years,

3. Smt. Anasuyamma R.,
D/o. Late Ramachandraiah,
Aged about 48 years,

P1 to R3 are R/at No.11/23,
3rd Cross, Saraswathipuram,
Nandini Layout,
Bengaluru-560096.

4. Smt. Lalitha R.,
W/o. Balaji Prasad G.N.,
Aged about 43 years,
R/at No.75, Chandrappa Building,
3rd Cross, Near Bhyraveshwara Floor Mill,
Kathriguppe Village,
BSK 3rd Stage, Bengaluru-560085.

…Petitioners

(By Sri. Kemparaju, Advocate)

AND:

State of Karnataka
By Jnanabharathi Police Station,
Bengaluru, Represented by its
State Public Prosecutor,
High Court Complex,
Bengaluru-560001.

... Respondent

(By Sri. K.S.Abhijith , HCGP)

This Criminal Petition is filed under Section 438 of Cr.P.C. praying to enlarge the petitioner on bail in the event of their arrest on the complaint of Smt. Nagaveni R., W/o. Mohan Kurmar R., for the alleged offence punishable under Sections 498A and 506 of IPC and Sections 3 and 4 of D.P. Act FIR to be registered by the Jnanabharathi Police Station, at Bengaluru.

This Criminal Petition coming on for orders through video conferencing this day, the Court made the following:

ORDER

Heard both sides.

2. The petitioners have sought anticipatory bail under Section 438 of Cr.P.C. under apprehension of arrest in relation to offences punishable under Sections 498-A, 506 of IPC and Sections 3 and 4 of Dowry Prohibition Act.

3. It appears that the petitioners have the fear of being arrested in view of some matrimonial disputes

between the first petitioner and his wife. The learned Government Pleader produces a letter signed by the Police Inspector of Gnana Bharati Police Station stating that no FIR has been registered against the petitioners at Gnana Bharati Police Station in relation to offences punishable under Section 498-A and 506 of IPC and Sections 3 and 4 of Dowry Prohibition Act. This letter which is placed on record appears to have been issued in connection with the present petition under consideration. Since the Police Inspector has made it clear that no offence has been registered, the petitioners need not have the fear of being arrested. If no complaint at the instance of wife or her relations is registered, the petitioners cannot be arrested. In view of this, this petition does not survive. Therefore it is disposed of.

Sd/-
JUDGE

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