

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

MONDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY

**:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 755 OF 2020**

Between:

Smt.Mohammedi Begum, W/o.Mohammed Habeeb

Petitioner/Accused No.4

AND

The State of Telangana, Through W.P.S.South zone. Rep. by its
Public Prosecutor High Court of Judicature for the State of
Telanga at Hyderabad

Respondent/Complainant

Petition under Section 438 of Cr.P.C, praying that in the
circumstances stated in the grounds filed in support of the
Criminal Petition, the High Court may be pleased to release the
petitioner on bail in the event of arrest by the Police WPS, South
Zone, Hyderabad, in connection with C.C.No.6351 of 20 19, XV
Additional Chief Metropolitan Magistrate Court, Hyderabad, under
section 438 Cr.P.C.

COUNSEL FOR THE PETITIONER: SRI S SOMESHWAR RAO

COUNSEL FOR THE RESPONDENT: ADDITIONAL PUBLIC PROSECUTOR

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.755 of 2020

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.4 seeking to grant anticipatory bail in the event of her arrest in Crime No.198 of 2018 on the file of Women Police Station, South Zone, Hyderabad, registered for the offences punishable under Sections 498-A and 406 IPC and Sections 4 and 6 of the Dowry Prohibition Act.

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

3. The case of the prosecution in brief is that the de facto complainant married accused No.1 on 10.10.2014 as per Muslim customs and rites and her parents gave dowry and dowry articles accused per the demand of the accused; that accused No.1 started harassing the de facto complainant mentally and physically and gave every sort of trouble; and that while the matters stood thus, the de facto complainant came to know that accused No.1 married the petitioner for second time suppressing the first marriage and that her in-laws supported her husband-accused No.1.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has not committed any offence as alleged by the de facto complainant; that no case whatsoever

under Sections 498-A and 406 IPC and Sections 4 and 6 of the Dowry Prohibition Act are made out against the petitioner; that the petitioner was not present at the time of marriage of accused No.1 with the de facto complainant nor there is any demand of dowry by the present petitioner. Learned counsel further submitted that the Police has already filed the charge sheet in the present case, however no notice under Section 41-A Cr.P.C. has been served upon the petitioner, but the Court has issued non-bailable warrant against the petitioner and there is a threat of apprehension of the petitioner in the present case. Learned counsel further submitted that the petitioner is a law abiding citizen and she is ready to abide by any conditions that may be imposed by this Court in the event of her enlargement on anticipatory bail.

5. Learned Additional Public Prosecutor opposed to grant anticipatory bail to the petitioner.

6. Looking into the nature of allegations levelled against the petitioner and the facts and circumstances of the case, without delving into the merits of the case, I am inclined to grant anticipatory bail to the petitioner.

7. The Criminal Petition is accordingly allowed. The petitioner is directed to surrender before the Station House Officer, Women Police Station, South Zone, Hyderabad, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/accused on bail on her executing a personal bond to

the tune of Rs.15,000/- (Rupees Fifteen thousand only) with two sureties for the like amount each to his satisfaction. Further, the petitioner shall abide by the conditions stipulated in Section 438(2) Cr.P.C and co-operate with the Investigating Officer in investigating the case.

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

SD/- N. PURUSHOTHAM REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XV Additional Chief Metropolitan Magistrate at Hyderabad.
2. The IV Additional Metropolitan Sessions Judge at Hyderabad.
3. The Station House Officer, Women Police Station, South Zone, Hyderabad.
4. One CC to SRI. S SOMESHWAR RAO Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
6. One Spare Copy

GR

HIGH COURT

GSDJ

DATED:10/02/2020

ORDER



CRLP.No.755 of 2020

BAIL

A handwritten signature in black ink, consisting of a stylized 'Z' or '2' shape.