

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

**FRIDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY**

**:PRESENT:
THE HON'BLE JUSTICE G.SRI DEVI**

CRIMINAL PETITION NO: 777 OF 2020

Between:

Bokka Purnachander, S/o. Adinarayana, (A-1)

Petitioner/Accused No.1

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana at Hyderabad.
2. Bokka Victoria Rani, W/o. Purnachander, R/o. Q.No.D-340, Gandhi Nagar, Godavarikhani, Karimnagar District.
(as per the Court order dated 28-02-2020 in IA. No. 1 of 2020 R-2 is impleaded in CrI.P. No. 777 of 2020)

Respondents/Complainant

Petition under Sections 437 & 439 of Cr.P.C, praying that in the circumstances stated in the petition and the grounds filed herein, the High Court may be pleased to release the petitioners on bail pending investigation, enquiry and trial in Crime No. 283 of 2019 of Godavarikhani I Town Police Station, Karimnagar District, in the interest of justice;

Counsel for the Petitioner : SRI N.MOHAN KRISHNA

Counsel for the Respondent No. 1 : ADDL. PUBLIC PROSECUTOR

Counsel for the Respondent No.2 : SRI Y.BALA MURALI

The Court made the following;

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.777 of 2020

ORDER:

The petitioner, who is accused No.1, filed the present application under Sections 437 and 439 of Criminal Procedure Code 1973, seeking to grant bail to him in Crime No.283 of 2019 of Godavarikhani I Town Police Station, Peddapalli District, registered for the offences punishable under Sections 498-A and 506 read with 34 I.P.C, Section 4 of the Dowry Prohibition Act and Section 3 (1) (r) (s), 3 (2) (va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 2015.

2. The petitioner/accused No.1 is none other than husband of the complainant and their marriage is a love marriage. During their lawful wedlock, they were blessed with one daughter and one son. The allegation levelled against the present petitioner/accused No.1 is that since one year prior to filing of present complaint, the petitioner/accused No.1 subjected the *de facto* complainant to cruelty by abusing her with her caste name and demanding her to bring an amount of Rs.2,00,000/- as dowry. The petitioner/accused No.1 also took the *de facto* complainant to his parents' house wherein accused Nos.2 and 3 also instigated her to bring dowry amount and abused her in her caste name. Due to which, she left the company of petitioner/accused No.1 and living with her parents. Hence, the complaint.

3. Learned counsel for the petitioner/accused No.1 would submit that marriage of the petitioner/accused No.1 with the complainant took place in the year 2009 and after ten years of

marriage, a false complaint was lodged against the petitioner/accused No.1 with a *mala fide* intention and wrongful gain taking the undue advantage of the caste; that there are absolutely no specific overt acts that have been attributed against the petitioner/accused No.1; that all the allegations are only omnibus; that entire investigation is completed, except filing of charge sheet and that the petitioner/accused No.1 has been in judicial custody since 10.12.2019 and ultimately, prayed to grant bail to the petitioner/accused No.1.

4. Heard the learned counsel for petitioner, learned Additional Public Prosecutor and learned counsel for the 2nd respondent-complainant, who opposed the petition.

5. Though learned counsel for the 2nd respondent/complainant opposed the petition, looking into the facts and circumstances of the case and nature of allegations levelled against the petitioner/accused No.1, and since the petitioner is in judicial custody since 10.12.2019, I am inclined to grant bail to the petitioner/accused No.1 on certain terms and conditions.

- (i) The petitioner/accused No.1 shall execute a personal bond for Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties for a like sum each to the satisfaction of I Additional Judicial Magistrate of First Class, Godavarikhani.
- (ii) The petitioner/accused No.1 shall not indulge in any similar type of activities in future.
- (iii) The petitioner/accused No.1 shall not tamper with the prosecution witnesses.
- (iv) The petitioner/accused No.1 shall co-operate with the investigating agency and shall appear before him on 4th

Saturday of every month till conclusion of investigation and submission of final report.

- (v) The petitioner/accused No.1 shall not intimidate or give threat to the complainant or any of his family members during the period of trial.
- (vi) The petitioner/accused No.1 shall appear before the Court concerned personally on each date of hearing till conclusion of trial.

6. Accordingly, the Criminal Petition is allowed. Miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

SD/- B.SATYAVATHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The V Addl. Sessions Judge, Karimnagar.
2. The I Addl. Judicial Magistrate of First Class, Godavarikhani, Karimnagar.
3. The Superintendent, District Jail, Karimnagar.
4. The Station House Officer, Godavarikhani I Town Police Station, Karimnagar District.
5. Two Ccs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
6. One CC to Sri N.Mohan Krishna, Advocate (OPUC)
7. One CC to Sri Y.Bala Murali, Advocate (OPUC)
8. one Spare copy

HIGH COURT

GSD,J

DATE: 28-02-2020

ORDER

CRL.P. NO. 777 OF 2020

BAIL

