

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

**WEDNESDAY, THE TWENTY SIXTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY-**

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

CRIMINAL PETITION NO: 1223 OF 2020 -

Between:

Asha Prashanth, S/o. Anjaiah, ✓

Petitioner/Accused No.1

AND

1. The State of Telangana, Rep. by Public Prosecutor, High Court at Hyderabad.
2. The Station House Officer, Dharmapuri P.S -

Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C, praying that in the circumstances stated in the petition and the grounds filed therein, the High Court may be pleased to enlarge the petitioner/Accused No.1 in Crime No. 286/2019 on the file of Dharmapuri Police Station on bail, in the interest of justice.

Counsel for the Petitioner : SRI T.SURYA SATISH ✓

Counsel for the Respondents : ADDL. PUBLIC PROSECUTOR ✓

The Court made the following;

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1223 of 2020

ORDER:

This Criminal Petition, under Section 439 of the Code of Criminal Procedure, is filed seeking to grant bail to the petitioner-accused No.1 in Crime No.286 of 2019 on the file of Dharmapuri Police Station, Jagtial District, registered for the offences under Sections 323, 506, 498-A, 494 and 294 (b) read with Section 34 IPC.

2. The brief facts of the case as per the complaint are that love-cum-arranged marriage of the de facto complainant was performed with accused No.1 on 03.5.2015 and at the time of marriage, cash of Rs.3 lakhs, some gold and house hold articles were given as dowry; that the couple lived happily for two years and were blessed with a baby boy; and after that, accused No.1 with the instigation of accused Nos.2 to 8 started harassing the de facto complainant by taking her caste name and forced to bring additional dowry of Rs.5 lakhs and that accused No.1 abused the de facto complainant in most vulgar language, beat her with hands, threatened her with dire consequences to kill and he also performed second marriage with accused No.9. Hence, the complaint.

3. Learned counsel for the petitioner/accused No.1 submitted that the present complaint is the third one lodged by the de facto complainant against the petitioner-accused No.1 and other accused on the same set of allegations which is nothing but an abuse of process of law; and that the petitioner has been languishing in jail since 02.01.2020. Learned counsel further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and is ready to furnish solvent sureties to the satisfaction of the Court in the event of his enlargement on bail.

4. Learned Additional Public Prosecutor vehemently opposed to grant bail to the petitioner.

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

6. The Criminal Petition is allowed and the petitioner-accused No.1 shall be released on bail on the following terms and conditions:

- (i) That the petitioner shall execute a personal bond for a sum of Rs.15,000/- (Rupees fifteen thousand only) with two sureties for a like sum each to the satisfaction of the Judicial First Class Magistrate, Jagtial.
- (ii) that the petitioner shall appear before the Investigating Officer on second and fourth Saturday of every month between 10.00 AM to 2.00 PM., till completion of investigation or filing of the charge sheet, whichever is earlier.
- (iii) that the petitioner shall appear before the Court concerned personally on each date of hearing till conclusion of the trial.
- (iv) that the petitioner shall not tamper with the prosecution witnesses;
- (v) that the petitioner shall co-operate with the investigating agency.
- (vi) that the petitioner shall not misuse the liberty granted to him.

7. As a sequel, miscellaneous applications, if any pending, shall stand closed.

**SD/- CH. VENKATESHWAR
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Judicial First Class Magistrate, Jagtial, Karimnagar District.
2. The I Addl. Judicial Magistrate of First Class, Jagtial, Karimnagar District.
3. The Station House Officer, Dharmapuri Police Station, Jagtial.
4. The Superintendent, District Jail, Karimnagar.
5. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
6. One CC to Sri T.Surya Salish, Advocate (OPUC)
7. one Spare Copy

HIGH COURT

GSD,J

DATE: 26-02-2020

ORDER

CRL.P. NO. 1223 OF 2020

BAIL



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