

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE NINETEENTH DAY OF APRIL TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 2813 OF 2021

Between:

Mr. Nayini Shiva Shankar @ Joseph Daniel, S/o N. Venkateshwarlu,

Petitioner/Accused-1/husband of de-facto complainant

AND

The State of Telangana, Represented by its Public Prosecutor, Through Station House Officer, At Huzurnagar Police Station, Suryapet district.

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 grant ANTICIPATORY BAIL to the petitioner/ A✓ in the event of his arrest in connection with Crime in F.I.R.No 18 of 2021, dated 05-02-2021, on the file of Huzurnagar Police Station, at Suryapet district, registered for the offences punishable under Section 498-A of I.P.C and Sections 3 and 4 of Dowry Prohibition Act.:

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI SRINIVAS KAPATIA Advocate for the Petitioner and ADDITIOBAL PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.2813 OF 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner/A-1, for grant of anticipatory bail in Crime No.18 of 2021 of P.S. Huzurnagar, Suryapet District, registered for the offences punishable under Section 498-A of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

Heard the learned counsel for the petitioner/A-1, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

In the FIR, it is *inter alia* stated that the *de facto* complainant lodged a complaint stating that her marriage was performed four years back with the petitioner/A-1 and her parents gave Rs.5 lakhs cash, 15 tulas gold, 10 tulas silver and one lakh worth household articles and after marriage, the petitioner/A-1 and her in-laws demanded her to bring additional dowry of Rs.20 lakhs and harassed her physically and mentally and also threatened her to kill and necked out from the matrimonial house. Hence, the complaint.

Learned counsel for the petitioner/A-1 would submit that the petitioner is an innocent person and never committed any offence as alleged by the respondent-police. It is further submitted that the petitioner is a law-abiding citizen and has nothing to do with the alleged offence. Further, he is ready to give sufficient sureties to the satisfaction of this Court to secure his presence on each and every date of hearing to face the trial and also ready to

abide by the terms and conditions if any that may be imposed by this Court for his release. Hence, he prayed to grant anticipatory bail to the petitioner/A-1.

Learned Additional Public Prosecutor representing the respondent-State opposed to grant anticipatory bail to the petitioner/A-1.

Having regard to the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/A-1 on some conditions.

Accordingly, the Criminal Petition is allowed and the petitioner/A-1 is directed to surrender before the Station House Officer, P.S. Huzurnagar, Suryapet District, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/A-1 on bail, on his executing personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to his satisfaction. On such release, the petitioner/A-1 shall appear before the investigating authorities on every third Saturday between 10.00 am and 5.00 pm till completion of investigation and filing of charge sheet and shall also abide by the conditions stipulated in Section 438(2) Cr.P.C. and co-operate with the investigating officer in investigating the case.

Miscellaneous applications, if any, pending shall stand closed.

//TRUE COPY//

SD/- M.MANJULA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Station House Officer, Huzurnagar Police Station, Suryapet District.
2. One CC to SRI. SRINIVAS KAPATIA Advocate [OPUC]
3. Two CCs to the PUBLIC PROSECUTOR , High Court for the State of
Telangana, Hyderabad (OUT)
4. One spare copy

HIGH COURT

GSDJ

DATED: 19.04.2021

ORDER

CRLP. NO: 2813 of 2021



CRIMINAL PETITION IS ALLOWED