

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE TWENTY EIGHTH DAY OF JUNE TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 4577 OF 2021

Between:

Mrinal Kumar Gain, S/o. Late Verendranath Gain

...Petitioner/Accused No.1

AND

The State of Telangana, through Public Prosecutor, The High Court for the State of Telangana 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 enlarge the Petitioner/ Accused No.1 on bail in the event of his arrest in connection with the Crime No.27 of 2021 of Police Station Easgaon, District Komuram Bheem-Asifabad for the alleged offences punishable U/s 498-A IPC and Sec 3 and 4 DP Act.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of M/s S. LAKSHMI KANTH Advocate for the Petitioner and of Assistant PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4577 of 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A1 seeking to grant anticipatory bail in the event of his arrest in Cr.No.27 of 2021 on the file of Easgaon Police Station, Komuram Bheem-Asifabad District, registered for the offences punishable under Section 498-A IPC and under Sections 3 and 4 of Dowry Prohibition Act.

2. Heard learned counsel for the petitioner/A1, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. The prosecution case is that the petitioner/A1, at the instigation of other accused, harassed the de-facto complainant physically and mentally by demanding additional dowry and he used to beat her without any reason.

4. Learned counsel for the petitioner/A1 would submit that there are no specific allegations against the petitioner to prosecute for the alleged offences and that the complaint is frivolous and baseless. He would further submit that the entire story of the prosecution is concocted and the petitioner is innocent of the alleged offences. He would further submit that due to some misunderstandings between the de-facto complainant and the petitioner, he filed HMOP No.11 of 2021 on the file of Senior Civil Judge and as a counterblast, the present false complaint is filed. He would also submit that petitioner is not involved in any other crime prior to this occurrence and he is a law abiding citizen and ready to abide by any condition that may be imposed by this Court in the event of his enlargement on anticipatory bail.

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

6. Having regard to the facts and circumstances and since general and omnibus allegations are made against the petitioner and also in view of peculiar conditions of pandemic COVID-19 prevailing in the country, without delving into the merits of the matter, I am inclined to grant anticipatory bail to the petitioner/A1.

7. The Criminal Petition is accordingly allowed and the petitioner/A1 is granted anticipatory bail subject to the following terms and conditions:

- (i) The petitioner/A1 is directed to surrender before the Station House Officer, Easgaon Police Station, Komuram Bheem-Asifabad District, within a period of 15 days from the date of this order and on such surrender, the said Station House Officer shall release the petitioner/A1 on bail on his executing a personal bond to the tune of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for the like sum each to his satisfaction.
- (ii) On such release, the petitioner/A1 shall appear before the Investigating Officer as and when required for the purpose of fair investigation and he shall co-operate with the investigation.
- (iii) The petitioner/A1 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

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

SD/- K ONESIM
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Sirpur Town.
2. The Senior Civil Judge at Asifabad.
3. The S.H.O., PS., Easgaon, District Komuram Bheem-Asifabad erstwhile Adilabad.
4. One CC to M/s. S. LAKSHMI KANTH, Advocate [OPUC].
5. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT].
6. One spare copy
ZEE

HIGH COURT

GSDJ

DATED:28/06/2021

ORDER



CRLP.No.4577 of 2021

BAIL