

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 1394 OF 2021

ORDER:

This petition is filed under Section 438 Cr.P.C. seeking bail to petitioner/suspected accused in the event of his arrest in an unregistered crime on the file of the Khammam Rural Police Station, Khammam District, on the complaint lodged by K.Nagamalleswari against the petitioner herein.

2. Heard Mr.Lattupally Anand, learned counsel for the petitioner, and learned Assistant Public Prosecutor for the respondent-State.
3. Learned counsel for the petitioner submits that there are matrimonial disputes between the petitioner and his wife and as she filed a complaint against the petitioner, the present petition is filed in anticipation that petitioner may be arrested.
4. Learned Assistant Public Prosecutor, on instructions, submits that basing on the complaint filed by petitioner's wife, a crime is registered, which is numbered as Crime No.448 of 2022 on 10.02.2022 for the offences punishable under Sections 498-A and 506 of IPC and Section 4 of the Dowry Prohibition Act.

5. Since the punishment prescribed for the offences alleged against petitioner is up to seven years, without going into the merits of the matter, the respondent - Police are directed to follow the procedure as contemplated under Section 41-A Cr.P.C and the guidelines formulated by the Hon'ble Supreme Court in ***Arnesh Kumar v. State of Bihar***¹ scrupulously. It is needless to say, any deviation in this regard will be viewed seriously.

6. The Criminal Petition is accordingly, disposed of.

Miscellaneous petitions, pending if any, shall stand closed.

LALITHA KANNEGANTI, J

Date: 22.02.2022

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¹ (2014) 8 SCC 273