

THE HONOURABLE SMT. JUSTICE G.ANUPAMA CHAKRAVARTHY

CRIMINAL PETITION No.4372 of 2022

ORDER

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioner/Accused in the event of his arrest in Crime No.250 of 2022 on the file of Choutuppal Police Station, Rachakonda, for the offence punishable under Section 376 read with 511 of Indian Penal Code.

2. The brief facts of the prosecution case are that on 30.04.2022 at 1.00 PM, the *de facto* complainant/victim has lodged a complaint before the Sub-Inspector of Police, Choutuppal Police Station, against the accused alleging that her marriage was performed with Y.Kiran Kumar, who is a software employee, and that on 24.03.2022 in the absence of inmates of the house, the accused, being the father-in-law of the victim, at about 12.30 PM, caught hold of her hand to outrage her modesty and also demanded her to fulfill his sexual lust and somehow she managed to escape from the clutches of the accused and informed the said fact to her husband. It is further alleged in the complaint that due to sexual harassment of the accused, on 27.03.2022 she left her in-laws' house and went to her parents' house. It is further alleged that from the date of her marriage, her husband was harassing by demanding additional dowry, for which she filed a petition before the Women Police Station, Bhongir, and the concerned Police registered a case under Sections 498-A, 506 of

I.P.C. and Sections 3 and 4 of Dowry Prohibition Act, and requested to take necessary action against the accused.

3. Learned counsel for the petitioner submitted that even as per the contents of the complaint, though the alleged incident took place on 24.03.2022, the *de facto* complainant/victim left the house of the accused on 27.03.2022. It is also submitted that on 27.04.2022, the victim has filed a complaint against the accused and others under Section 498-A I.P.C., for which a case was registered against them and even the said complaint was silent about the alleged incident occurred on 24.03.0222 as stated in the present crime and therefore, prayed to grant anticipatory bail to the petitioner.

4. On the other hand, learned Assistant Public Prosecutor submitted that five witnesses were examined in this case and recording the Statement of the victim under Section 164 Cr.P.C. is pending.

5. Heard the learned counsel for petitioner/Accused and the learned Assistant Public Prosecutor for respondent-State. Perused the record.

6. On perusal of the record, it is evident that the complaint made by the defacto complainant on 27.04.2022 before the Police, Bhongir for the offence under Section 498-A I.P.C., was silent as to the alleged incident, which was said to have occurred on 24.03.2022. Therefore, considering

the above circumstances, the Court is inclined to grant Anticipatory Bail to the petitioner/Accused.

7. Accordingly, the Criminal Petition is allowed and the petitioner/Accused shall be enlarged on bail in the event of his arrest subject to the following conditions:

i) The petitioner/Accused is directed to surrender before the Judicial First Class Magistrate, Choutuppal, within a period of ten (10) days from today, and on such surrender, he shall be enlarged on bail on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties for the like sum each to his satisfaction.

ii) The petitioner/Accused shall appear before the Station House Officer, Choutuppal Police Station on every Sunday between 10.00 AM and 12.00 PM till filing of the charge sheet.

iii) The petitioner/Accused shall co-operate with the investigation.

SMT.G.ANUPAMA CHAKRAVARTHY,J

12th May, 2022.

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