

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 6368 of 2022

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. by petitioners/A1 to A5 seeking bail in the event of their arrest in connection with Crime No.446 of 2021 on the file of Panjagutta Police Station, Hyderabad District, registered for the offences punishable under Sections 405, 406, 420, 380, 506 read with 120b of Indian Penal Code and section 156(3) of Cr.P.C..

2. Heard learned counsel for the petitioners and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The wife of Accused No.1 is the *defacto* complainant in the present case. Prior to filing of the present complaint, she filed a complaint which was registered as Crime No.56 of 2021. In the said crime Final Report was also filed on 11.03.2022 under Section 498-A IPC and Section 3 & 4 of Dowry Prohibition Act and subsequently it is numbered as CC.No.291/2022 and pending on the file of Additional Judicial First Class Magistrate, Suryapet. Before filing the charge sheet, a private complaint was filed by the *defacto* complainant making similar allegations of the present

complaint and the said complaint was registered on reference by the Punjagutta Police vide Crime No.446 of 2021.

4. Though 41-A notices were served on the petitioners a reply in the month of November, 2021 was filed. However, learned counsel for petitioners submits that the petitioners are apprehending arrest by the Punjagutta Police on the ground of not assisting investigation.

5. As seen from both the complaints, the allegations in both the complaints are similar in nature and the earlier complaint was already investigated and charge sheet was also filed. In the said circumstances, these petitioners can be granted the relief of Anticipatory Bail.

6. Accordingly, the criminal petition is allowed and the petitioners/A1 to A5 shall be enlarged on bail in the event of their arrest, subject to the following conditions:

- 1) The petitioners/ A1 to A5 are directed to surrender before the Station House Officer, Punjagutta Police Station, within a period of two weeks from the date of this order. On such surrender, the said Station House Officer shall release the petitioners/ A1 to A5 on bail, on their executing personal bonds for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties in a like sum each to his satisfaction.

- 2) On such release, the petitioners/ A1 to A5 shall appear before the police every Monday between 10.00 a.m. to 1.00 p.m. for a period of six weeks, for the purpose of investigation.
- 3) The petitioners/ A1 to A5 shall abide by the other conditions stipulated in Section 438(2) of Cr.P.C and shall co-operate with the Investigating Officer in investigating the case.

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

Date :26.07.2022
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K.SURENDER, J

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Dt.26.07.2022

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