

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

CRIMINAL PETITION No.5558 of 2024

ORDER: (ORAL)

This Criminal Petition is filed, under Section 438 of the Criminal Procedure Code, seeking grant of anticipatory bail to the petitioners, who are A1 to A4, in Cr.No.88 of 2024 on the file of the Station House Officer, Ananthagiri Police Station, Suryapet District, registered for the offence punishable under Section 498-A read with Section 34 of the Indian Penal Code (for short 'IPC') and Sections 3 and 4 of the Dowry Prohibition Act.

2. The facts of the case are that the *de facto* complainant is wife of accused No.1. It is alleged in the report lodged by the *de facto* complainant that she got married to accused No.1 on 29.07.2020 and her parents have given dowry of Rs.2,50,000/-, 5 tulas Gold ornaments and Ac.0.08 guntas of agricultural land to accused No.1 as dowry. Thereafter, they lived happily for some days and blessed with two male children. Later, her husband (A.1) started harassing the *de facto* complainant both mentally and physically for additional dowry along with other accused. The issue was taken

before the village and caste elders, who have counselled accused No.1. Thereupon, accused No.1 gave assurance that he will look after the *de facto* complainant properly but he failed to do so and continued the acts. Accused No.1 along with his family members picked up quarrel with the *de facto* complainant and necked out from their home on 07.01.2024 and did not take her back to home.

3. Heard both sides.

4. Learned counsel for the petitioners submitted that false case is registered by *de facto* complainant against the petitioners/accused as a counter blast to divorce case in O.P.No.559 of 2024 filed by the accused No.1 before the learned Family Court, Hyderabad. It is submitted that divorce case was filed on 01.04.2024 and after receiving the summons, the *de facto* complainant lodged the present complaint on 19.04.2024. Learned counsel further submitted that though the petitioners are entitled for benefit under Section 41-A of Cr.P.C., they apprehend that they would be harassed by the Police as the *de facto* complainant and her family members are influential persons.

5. Taking into consideration the fact that the complaint was lodged on 19.04.2024 after receipt of summons in O.P.No.559 of 2024 filed by accused No.1; the *de facto* complainant leaving the company of her husband on 07.01.2024 and complaint being lodged on 19.04.2024, this Court is inclined to grant anticipatory bail to the petitioners – A1 to A4.

6. Hence, the criminal petition is allowed and the petitioners are directed to surrender before the Station House Officer, Ananthagiri Police Station, Suryapet District, within 15 days from the date of this order. On such surrender, the petitioners shall be released on bail on their executing a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) each with two sureties for a like sum each to the satisfaction of the said Station House Officer. Further, on such release, the petitioners shall abide by the conditions as under:

1. The petitioners shall make themselves available for interrogation by a police officer as and when required.

2. The petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
3. The petitioners shall not leave India without the prior permission of the Court.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

B. VIJAYSEN REDDY, J

Date: 23.05.2024.
PRN/TMK

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