

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5570 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarika Suraksha Sanhita, 2023 (for short, 'BNSS') seeking anticipatory bail to the petitioners/accused Nos.1 to 3 in Crime No.379 of 2025 of Alwal Police Station, Cyberabad, registered for the offence punishable under Section 85 of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS'), Sections 3 and 4 of the Dowry Prohibition Act, 1961 (for short 'the DP Act') and Section 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'the SCs' & STs' (POA) Act').

2. The case of prosecution in brief is that on 12.04.2025 complainant lodged a complaint, in which she stated that in the year 2021, she got married with accused No.1 and it is love cum arranged marriage. During their marriage, her parents gave Rs.5 lakhs and 9 tulas gold and utensils as dowry. After her marriage she along with petitioners started living and they lived happily for one month. Thereafter, petitioners started harassing her for extra dowry. They

forced to resign her job and asked for her saving amount and also her husband used to harass her to bring her father salary. In addition, they used to scold her by calling her caste and used to harass her mentally and physically as dowry she brought was not enough for them. However, in May, 2023, unable to bear harassment of petitioners, she went to her mother's house and later when she went back to petitioners' house with her elders for panchayat, they made them stand outside and scolded them indecently. Basing on the said complaint, the present crime is registered for the aforesaid offences.

3. Heard Ms.H.Harshitha, learned counsel representing Mr.M.Sateesh, learned counsel for the petitioners and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioners submitted that the petitioners have not committed any offence and they were falsely implicated in this case. She further submitted that petitioners never abused the complainant in the name of her case and the ingredients of Section 3(2)(v) of SCs' & STs' (POA) Act are not attracted against the petitioners. She further submitted that petitioner No.1 filed FCOP No.1400 of 2024, against respondent No.2, on the file of the II

Additional Family Court at L.B.Nagar, for decree of divorce under Section 13(1)(ia) of Hindu Marriage Act, 1955 on 29.08.2024 and the complainant lodged the present complaint on 12.04.2025, as a counter blast with an intention to harass the petitioner. She further submitted that petitioners are not having any other criminal antecedents and they are ready and willing to cooperate with the investigation and will abide by the conditions, which are going to be imposed by this Court and hence, prayed for anticipatory bail.

5. On the other hand, learned Additional Public Prosecutor submitted that the petitioners committed grave offence and the investigation is under progress. Therefore, if the petitioners are granted anticipatory bail, there is every chance to influence the witnesses and to interfere with the investigation. Hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by respective parties and after perusal of the material available on record, it reveals that the marriage of petitioner No.1 and the complainant was performed on 27.08.2021. Subsequently, marital disputes arose between them and petitioner Nos.2 and 3 are in-laws of the complainant and petitioner No.2 is aged about 58 years and he is

farmer and petitioner No.3 is aged about 54 years and she is housewife. According to the complaint, there are specific allegations against accused No.1.

7. Taking into consideration the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to petitioner No.1/accused No.1, on the ground that the investigation is under progress. Hence, the petition stands dismissed in respect of petitioner No.1/accused No.1. Taking into consideration of the age and occupation of petitioner Nos.2 and 3/accused Nos.2 and 3, this Court is inclined to grant anticipatory bail to petitioner Nos.2 and 3/accused Nos.2 and 3, subject to the following conditions:

- (i) Petitioner Nos.2 and 3/accused Nos.2 and 3 are directed to surrender before the S.H.O., Alwal Police Station, on or before 05.05.2025 and on such surrender, they shall be enlarged on bail on their executing a personal bond for a sum of Rs.15,000/- (Rupees fifteen thousand only), with two sureties for a like sum each to his satisfaction.
- (ii) On such release, petitioner Nos.2 and 3/accused Nos.2 and 3 shall appear before the S.H.O., Alwal Police Station, on every Monday at 11-00 a.m. for a period of eight (8) weeks or till filing of the

charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

- (iii) Petitioner Nos.2 and 3/accused Nos.2 and 3 shall abide by the conditions stipulated under Section 482(2) of BNSS and shall cooperate with the Investigating Officer in the investigation.

8. Accordingly, the Criminal Petition is allowed in part. Insofar as petitioner No.1/accused No.1 is concerned, this petition is dismissed.

As a sequel thereto, miscellaneous applications, if any, pending in this petition stand closed.

J. SREENIVAS RAO, J

Date: 28.04.2025.
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