

**THE HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO**

**CRIMINAL PETITION No.7358 of 2016**

**ORDER:**

This Criminal Petition is filed under Section 438 Cr.P.C by petitioners/A-2 to A-5 seeking anticipatory bail in connection with a case in Crime No.56/2016 of Women/Mahila Police Station, Kakinada, registered against the petitioners for the offences punishable under Sections 498A read with 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent-State and perused the material placed on record.

3. Undisputedly A-1 was remanded to judicial custody and moved for regular bail, having went unsuccessful in the anticipatory bail application in CrI.M.P.No.569 of 2016, in CrI.M.P.No.1537 of 2016, which was allowed vide order, dated 18.05.2016.

4. The petitioners are no other than the father and mother of A-1 (A-2 and A-3) and sister and brother-in-law of A-1 (A-4 and A-5). The sister and brother-in-law of A-1 are not even residents of Hyderabad, but for of Nizamabad District, where the sister is practising as an Advocate and brother-in-law is practising as a doctor respectively.

5. Having regard to the circumstances stated in the petition as well as submissions made by the learned counsel, instead of dismissing from not entitled to the pre-arrest bail, but for regular bail in considering their personal liberty, this application is disposed of, by giving liberty to the petitioners/A-2 to A-5 to surrender before the learned Magistrate concerned to take into custody under Section 44 Cr.P.C by virtue of this order, move before the learned Magistrate for regular bail and with notice to learned Assistant Public Prosecutor concerned and in such an event, the learned Judge/Magistrate shall consider for granting of bail in favour of the petitioners with necessary conditions preferably on the same day, if not at

least by the next day.

6. Accordingly, the Criminal Petition is disposed of. Miscellaneous Petitions, if any, pending in this criminal petition shall stand closed.

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**Dr. B.SIVA SANKARA RAO J,**

Date: 26<sup>th</sup> May, 2016

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