

THE HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.7297 of 2016

ORDER:

This Criminal Petition is filed under Section 438 Cr.P.C by petitioner/A.1 seeking anticipatory bail in the event of his arrest in a crime that may be registered basing on the complaint given by Dr.A.Srujana, W/o M.Sudarshan, Hyderabad on the file of Pathikonda Police Station, Pathikonda, Kurnool District, in relation to alleged dowry harassment.

2. Heard learned counsel for the petitioner, the learned Additional Public Prosecutor for the Respondent-State and perused the material placed on record.

3. Petitioner is claiming that based on the report alleged to have been given by his wife, the respondent/police are harassing him without registering crime and his family members already filed W.P.No.16007 of 2016 in the 1st Vacation Court not to interfere with their personal life and liberty at the instance of respondent No.5 therein and the said Writ Petition is pending for want of instructions of learned Government Pleader. After filing of the Writ Petition, his wife seems to have given written complaint before Pathikonda Police alleging that he is harassing her for want of additional dowry. In view of the said complaint, police are calling him and there is a threat of his arrest.

4. Learned Additional Public Prosecutor submits that there is *prima facie* allegation against the petitioner/A.1 and also the other family members as A.2 to A.4 and police registered a case in Crime No.54 of 2016 for the offence punishable under Section 498-A read with 34 IPC.

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 petitioner's personal liberty, this application is disposed of, by giving liberty to the

petitioner-A.1 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 petitioner with necessary conditions preferably on the same day if not at least by the next day.

Miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

Dr. B.SIVA SANKARA RAO, J

May 26, 2016
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THE HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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Date:26.05.2016

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