

THE HON'BLE Dr. JUSTICE G. RADHA RANI

CRIMINAL PETITION No.11656 OF 2024

ORDER:

This criminal petition is filed by the petitioner – accused No.3 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of anticipatory bail in Crime No.727 of 2024 of P.S. Film Nagar, Banjara Hills, registered for the offence under Section 85 and 108 of Bharatiya Nyaya Sanhita, 2023.

2. Heard Sri GVNRSSS Vara Prasad, learned counsel appearing for the petitioner and learned Additional Public Prosecutor for respondent-State.

3. Learned counsel for the petitioner submitted that the present petitioner was the brother of accused No.1. Accused No.1 was granted regular bail by this Court on 06.11.2024. Accused No.2 was the mother of accused No.1 and she was also granted anticipatory bail by the Sessions Court. There were no specific allegations made against the present petitioner except leveling some omnibus allegations that she was harassed by her husband, mother-in-law, brother-in-law

and co-sister, as the deceased was childless and for seeking additional dowry. The petitioner/accused No.3 never involved in the issues pertaining to the deceased and accused No.1. The ingredients of the offences under Sections 85 and 108 of BNS could not be made out as per the facts and circumstances and prayed to enlarge the petitioner on anticipatory bail.

4. The learned Additional Public Prosecutor opposed grant of anticipatory bail to the petitioner.

5. Considering that there were no specific allegations made against the petitioner about harassing the deceased physically and mentally or that he abetted the offence of committing suicide by the deceased, it is considered a fit case to grant anticipatory bail to the petitioner subject to the following conditions.

6. In the result, this Criminal Petition is allowed, directing the petitioner/accused No.3 to be released on bail, in the event of his arrest, in the above crime, subject to the following conditions:

i) The petitioner/accused No.3 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties each for a like sum to the satisfaction of the XVII Additional Metropolitan Magistrate Court, Nampally, Hyderabad.

ii) The petitioner/accused No.3 shall abide by the conditions laid down under Section 482 (2) of BNSS.

Miscellaneous applications, pending, if any shall stand closed.

Dr. G. RADHA RANI, J

Dt: 08.11.2024

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