

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13031 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for granting of pre-arrest bail to the petitioner who is arrayed as accused No.1 in Crime No.613 of 2024 of Adibatla Police Station, Rachakonda.

2. The brief facts of the case are that the son of respondent No.2 namely Udavath Rajesh (hereinafter referred as 'the deceased') while doing forest fencing contract works with accused No.1, borrowed some amount from accused No.3 through accused No.1, for completing the said contract works. It is stated that on 07.10.2024, when accused Nos.1 to 3 came to the house of the deceased for demanding the repayment of the said amount, the deceased consumed pesticide. Later, on request of the deceased wife, the accused shifted the deceased to the Hospital. However, on 01.01.2024, at about 11:17 a.m., the deceased died while undergoing treatment. Hence, a case was registered vide Crime No.613 of 2024 before the Adibatla Police, Rachakonda, for the offences punishable under Section 108 of the BNS and Section 3(2)(v) of SC/ST (POA) Act.

3. Heard Sri Y.Bala Murali, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner went to the house of the deceased only for demanding the repayment of the said amount. He further submitted that the petitioner is no way concerned with the alleged offences. Hence, he prayed the Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the investigation is not yet completed, therefore, granting anticipatory bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Having regard to the submissions made by both the parties and a perusal of the material placed on record, it is apparent that the petitioner has not lent any amount to the deceased. Further, on 07.10.2024, the petitioner accompanied the other accused only for pressurizing the deceased for repayment of the said amount. Therefore, considering the facts and circumstances of the case, this Court is of the

considered view that it is a fit case for granting of anticipatory bail to the petitioner.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of P.S. Adibatla, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 02.12.2024
gms

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