

THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.13293 OF 2024

ORDER:

This Criminal Petition is filed by the petitioners-Accused Nos.1 to 4 under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha (for short 'BNSS') seeking regular bail in Crime No.762 of 2024 on the file of Alwal Police Station, Cyberabad, registered for the offences punishable under Sections 80 and 85 of Bharatiya Nyaya Sanhitha (for short 'BNS') and Sections 3 and 4 of the Dowry Prohibition Act (for short 'DP Act').

2. Heard Sri P. Vishnuvardhan Reddy, learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent-State.

3. Learned counsel for the petitioners submitted that the marriage between the deceased and the petitioner No.4-A4 was performed on 17.02.2022. On 01.10.2024 in the afternoon hours, the deceased committed suicide by hanging to the ceiling fan in her house. The mother of the deceased lodged a report before the police on 02.10.2024 at 13.50 hours. Basing on the said report, the above crime was registered and the petitioners-A1 to A4 were arrested on 07.10.2024. Since then, they were

in custody. He further submitted that the de facto complainant later realized that she filed a false complaint in distress and now filed an affidavit stating that the petitioners were no way connected to the alleged offence and during a moment of emotional turmoil, she lodged the report under a misunderstanding and as such, prayed to enlarge the petitioners on bail.

5. The learned Additional Public Prosecutor opposed grant of bail to the petitioners stating that the offence under Section 80 of BNS is non-compoundable and as such, due to the affidavit filed by the de facto complainant, the matter could not be compromised and the petitioners were not entitled for grant of bail.

6. Perused the record. Considering that there was no suicide note left by the deceased and that basing on the allegations made by the de facto complainant alone, the case was registered against the accused and now the de facto complainant filed an affidavit before this Court stating that out of misunderstanding she lodged the report and also considering the fact that the petitioners were arrested on 07.10.2024 and the guilt or otherwise of the offences alleged against the petitioners could be decided only after a full-fledged trial, it is considered fit to enlarge the petitioners on bail.

7. In the result, the Criminal Petition is allowed and the petitioners-Accused Nos.1 to 4 are granted regular bail subject to the following conditions:

- 1) The petitioners-Accused Nos.1 to 4 are directed to be released on bail on their executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties for a like sum each to the satisfaction of the X Additional Metropolitan Magistrate, Medchal-Malkajgiri District at Medchal.
- 2) The petitioners-Accused Nos.1 to 4 shall abide by the conditions stipulated under Section 480 (3) of BNSS.

Miscellaneous applications, pending if any, shall stand closed.

November 07, 2024
KTL

Dr. G.RADHA RANI, J