

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13750 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioner who is arrayed as accused in Crime No.700 of 2024 of Bachupally Police Station for the alleged offence under Section 108 of BNS.

2. The brief facts of the case originally a case has been registered against the petitioner basing on the complaint submitted by father of the deceased stating that his son in law is responsible for suicide as he used to harass the deceased for additional dowry and also on the ground that she blessed with two daughters. The Police in the course of investigation had found that the husband is not responsible for death of the deceased and this petitioner is responsible for the death of the deceased as there is illegal intimacy between the petitioner and deceased, taking advantage of the same, the petitioner blackmailed the deceased stating that he will send the private

photographs of the deceased and such apprehension the deceased committed suicide.

3. Heard Mr.D.Srikanth, 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 No.1-State.

4. Learned counsel for the petitioner submitted that there is no material on record to connect the petitioner with the alleged offence and to prove the offence under Section 108 of BNS there must be some evidence to show that petitioner herein abetted the deceased to commit suicide but, there is no such information on record. Hence, prayed for grant of anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor submitted that the allegations leveled against the petitioner is serious in nature i.e., he blackmailed the deceased stating that he will send private photographs of the deceased and himself to her husband on that deceased committed suicide and investigation is in progress and if the petitioner is not arrested they cannot seize the mobile phone of the petitioner

and he will hamper the evidence, as such he prayed to dismiss the petition.

6. Having heard the learned counsel for the petitioner and learned Additional Public Prosecutor, the only allegation against this petitioner is that he threatened the deceased stating that he will send her private photographs of himself and deceased to her husband and on that ground only deceased committed suicide but, on a perusal of the record it is not shown by the prosecution that there are any messages or phone calls between the petitioner herein and deceased found in the mobile phone of the deceased to show that soon before her death she received such calls or messages from this petitioner, as such this Court is of the considered view that it is a fit case for grant 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. Bachupally, 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.
- iii. The petitioner shall appear before the concerned SHO between 09:00 a.m. and 05:00 p.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required or till filing of charge sheet, whichever is earlier.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date:04.12.2024
VRKS

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