

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14099 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 petitioners in Crime No.1438 of 2024 of Narsingi Police Station, Cyberabad Commissionerate.

2. The brief facts of the case are that on 29.09.2024, a complaint was filed by Mr. Pinnamraju, stating that his sister, the victim, was married to Accused No.1 on 16.05.2019, at Sai Baba Temple in BHEL Township, and they had a four-year-old daughter, Datla Radha Krishna. Since the marriage, the victim faced harassment from her husband and mother-in-law, despite efforts by family elders to resolve the issue. The victim was often sent back to her parental home during her periods, and her mother-in-law forced her to sell land given by her parents as dowry. On 29.09.2024, the complainant received a call from Accused No.1, asking if the victim and their daughter were at the complainant's home. The complainant then visited the house of accused No.1, where

the victim was confined and harassed mentally and physically, and forced to seek a divorce. Tragically, the victim and her daughter died on 29.09.2024, after falling from the 18th floor of a building in My Home Avatar society.

3. Heard Sri V. Nitesh, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioner submitted that the allegations against the petitioner are false and baseless. The petitioner and the husband of the victim, Accused No.1, were residing in the UK for work, and the victim had joined them after a year. The petitioner denies harassing the victim for dowry or property, and instead claims to have sent her money regularly and taken care of the future of their child. He further submitted that the allegations are contradictory, and the petitioner is innocent and not connected to the alleged offence. The investigation is complete, and the petitioner is willing to cooperate and furnish any required documents. This is the second anticipatory bail application before this Court, with the previous two applications being dismissed on

17.10.2024, and 28.10.2024. Therefore, he prayed the Court to grant anticipatory bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the bail petition stating that the allegations leveled against the petitioner are serious in nature, and further, the investigation is not yet completed, at this stage granting of pre-arrest bail does not arise, as such, prayed the Court to dismiss the criminal petition.

6. After reviewing the submissions and record, this Court notes that the petitioner is accused of offence under Section 80 of BNS, specifically harassing the deceased along with his son to sell property given by her parents, and restricting her liberty in their house. Considering that the material part of the investigation is complete and taking into account the health condition of the petitioner, the court grants pre-arrest bail with the following conditions:

- i. The petitioners shall surrender before the Station House Officer of Narsingi Police Station, Cyberabad Commissionerate, 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 petitioners 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.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 05.12.2024
SAI

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