

THE HON'BLE Dr. JUSTICE G. RADHA RANI

CRIMINAL PETITION No.14282 OF 2024

ORDER:

This criminal petition is filed by the petitioners – accused Nos.1 to 6 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of anticipatory bail in Cr.No.1105 of 2024 of Police Station Bachupally, Cyberabad registered for the offences under Sections 108 read with 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The case of the prosecution, in brief, was that the *de-facto* complainant, the father of the deceased lodged a report stating that his son committed suicide by hanging on 14.11.2024 and he came to know about the same as the college principal informed him over phone at about 05:30 hours in the early morning on 14.11.2024. Later, the college principal told him that they found a suicide letter and in the said suicide letter the names of the present petitioners were mentioned as the reason for the cause of death of his son. Basing on the said report, the above Crime was registered against the petitioners herein for the above offence under Section 108 read with 3(5) of BNS.

3. Heard the learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioners submitted that the petitioners had not committed any offence as alleged, the school and hostel management, police and family members of the deceased colluded and falsely implicated the petitioners in the above Crime. The police were visiting the houses of the petitioners for arresting them. The petitioners were having good reputation in the society. If they were arrested there was every possibility of harassment by the police and prayed to enlarge the petitioners on anticipatory bail.

5. Learned Additional Public Prosecutor opposed grant of anticipatory bail to the petitioners stating that the deceased had mentioned the names of the petitioners as the persons responsible for his death in the suicide note left by him.

6. Considering the contents of the complaint as well as the suicide note left by the deceased as they would not disclose the petitioners contacting the deceased prior to his death or any abetment, instigation or inducement committed by them for causing the death of the deceased and

as it appears that their names were mentioned by the deceased only due to the family disputes between them and his family, it is considered that the offence under Section 108 of BNS would not *prima facie* attract to the facts of the present case. As such, it is considered fit to enlarge the petitioners on anticipatory bail.

7. In the result, the Criminal Petition is allowed and the petitioners-A1 to A6 shall be released on anticipatory bail subject to the following conditions:

- i) The petitioners-A1 to A6 are directed to surrender before the Station House Officer, P.S Bachupally, Cyberabad, within a period of 15 days from the date of this order and on such surrender, the said Station House Officer shall release the petitioners on bail, on their executing a personal bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer.
- ii) The petitioners-A1 to A6 shall abide by the conditions stipulated in Section 482 (2) of Bharatiya Nagarik Suraksha Sanhitha, 2023.

Miscellaneous applications, if any, pending, shall stand closed.

Dr. G. RADHARANI, J

November 27, 2024
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Dated 27.11.2024

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