

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15316 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 who are arrayed as accused Nos.3 and 4 in Crime No.944 of 2024 of Alwal Police Station, Cyberabad.

2. The brief facts of the case are that the marriage between the deceased and accused No.1 was performed on 29.11.2022 and they lead their martial life for some time. It is stated that accused No.1, along with other accused, used to harass her mentally and physically by humiliating her. It is stated that due to the intolerable harassment by the accused persons, the deceased committed suicide. Hence, a case was registered *vide* Crime No.944 of 2024 before the Alwal Police Station, Cyberabad, for the offences punishable under Sections 108, 85 read with 3(4) of BNS.

3. Heard Sri Kavadi Naresh, 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 petitioners *firstly* submitted that though there is no corroborative evidence to prove the alleged offences, the petitioners are implicated in the case with false and fabricated allegations. He *secondly* submitted that the petitioners are innocent and they are no way concerned with the alleged offences. He *thirdly* submitted that the petitioners/accused Nos.3 and 4, who are mother and sister of accused No.1, are living at Odisha separately from the accused No.1 and the deceased and accused No.3, who is suffering with age old ailments, came to Hyderabad only for the purpose of Knee Surgery. He *lastly* submitted that no criminal antecedents were pending against the petitioners and prayed the Court to grant of anticipatory bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that the deceased committed suicide due to the intolerable harassment by the accused persons and also the investigation is not yet completed, therefore, granting bail

to the petitioners, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and material available on record, it appears that except omnibus allegations there are no specific allegations against the petitioners. It is pertinent to note that material part of the investigation is also completed. 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 petitioners.

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

- i. The petitioners shall surrender before the Station House Officer of P.S.Alwal, Cyberabad 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 appear before the concerned Station House Officer on every Monday between 9:00 A.M. to 5:00 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.
- iii. The petitioners shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 19.12.2024

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26

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