

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15665 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 No.2 in Crime No.371 of 2024 of Humayun Nagar Police Station, Hyderabad.

2. The brief facts of the case are that the marriage between the deceased and accused No.1 was performed on 25.08.2022 and lead their marital life happily for some time. Thereafter, accused No.1, along with other accused, besides harassing the deceased physically and mentally, also used to threaten her with dire consequences for want of additional dowry. As a result, the deceased, being vexed with intolerable harassment by the accused persons, the deceased committed suicide. Hence, a case was registered *vide* Crime No.371 of 2024 of Humayun Nagar Police Station, Hyderabad, for the offences punishable under Section 80 of BNS.

3. Heard Sri Raj Kumar Rudra, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon,

learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and she is no way concerned with the alleged offences. He *secondly* submitted that the accused No.1 already released on bail *vide* order dated 18.11.2024 in Crl.M.P.No.5170 of 2024 on the file of V Additional Sessions Judge, Hyderabad. He *thirdly* submitted that the petitioner, who is mother of the accused No.1, is aged about 65 years and suffering with old age ailments. He *lastly* submitted that previously, bail application of the petitioner, *vide* Crl.M.P.Nos.5568, 4922 and 4673 of 2024, were dismissed by the I Additional Sessions Judge FAC. V Additional Sessions Judge, Hyderabad, on 11.12.2024, 29.10.2024 and 16.10.2024, respectively, without valid reasons and prayed the Court to grant of anticipatory bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the allegation leveled against the petitioner is serious in nature and the investigation is not yet completed and therefore, granting anticipatory bail to the

petitioner, 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 apparent that except omnibus allegations, there are no specific allegations against the petitioner. Further, the averments of the petition discloses that the deceased was residing in her parents house since long time. It is pertinent to note that material part of investigation investigation is 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 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.Hamayun Nagar, Hyderabad 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.

- i. The petitioner shall cooperate with the trial proceedings by appearing before the concerned Court whenever his presence is required as the charge sheet is filed before the concerned Court.
- ii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 24.12.2024

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