



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION NO.1449 OF 2025

IN

CRIMINAL APPLICATION (ABA) NO.511 OF 2025

(Smt. Tilottama Bhaurao Raipure and ors. Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Abhay Sambre, Advocate for the applicants.
Ms S.S. Dhote, APP for the State.
Mr. A.R. Fule, Advocate for Assist to Prosecution.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- JULY 30, 2025.

Heard.

2. By this application, the original complainant is seeking permission to assist the prosecution by engaging the Counsel.

3. In view of the contention raised in the application and the application is filed by the original complainant, permission is granted to engage the Counsel to assist the prosecution.

4. The application is allowed and disposed of accordingly.

CRIMINAL APPLICATION (ABA) NO.511 OF 2025

Apprehending the arrest at the hands of police in connection with Crime No.489/2025 registered with Police Station Ram Nagar, Chandrapur, District Chandrapur for the offence punishable under Sections 80,

85, 108, 115(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, the applicants approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of report lodged by the father of the deceased on an allegation that marriage of the deceased was performed on 27/11/2022 with applicant No.3 as per rights and customs. After marriage, she resumed cohabitation at the house of the present applicant but she was not treated well and she was ill-treated physically and mentally. Being fed up with the said ill-treatment she has committed suicide by hanging herself. On the basis of the said report, police have registered the crime against the present applicants.

3. Applicant No.1 is the mother-in-law, applicant No.2 is the brother-in-law and applicant No.3 is the husband.

4. Learned Counsel for the applicants submitted that as far as the allegations against applicant Nos.1 and 2 is concerned which are general in nature. There is no nexus between the abetment and the suicide by the deceased. The custodial interrogation of the present applicants is not required. He also invited my attention towards the recitals of the FIR and submitted that as she was suffering from ailment, and therefore, she was fed up with the same, and hence she has committed suicide. Prior to the incident, she had been to her parents house and

there is no reason to ill-treat her. He submitted that as far as the custodial interrogation is concerned which is not required. In view of that, the application deserves to be allowed by protecting the applicants by granting anticipatory bail.

5. Learned APP and learned Counsel for the complainant strongly opposed the application and invited my attention towards the postmortem report wherein some injuries are observed by the Medical Officer by conducting the postmortem report and the injuries are ante-mortem in nature. Learned APP submitted that considering the nature of the injuries and the statement of the neighbour one Vimal Borikar shows that the deceased has obtained the mobile phone of the labour, and thereafter called her father sufficiently shows that she was ill-treated by the present applicant, and therefore, the application deserves to be rejected.

6. I have heard learned Counsel for both the sides. On perusal of the investigation papers. As far as the allegation against applicant Nos.1 and 2 are concerned which are general i.e. in the nature of a wear and tear. In order to constitute the abetment the abettor must be shown to have actively participated in the commission of the offence of abetment and have intentionally aided the commission of the crime. Mere statement that she has abetted the deceased to commit suicide is not sufficient. At this stage, considering the injuries found on the person of

the deceased only it is the husband who has to explain the said injuries as the injuries are found when she was in the company of applicant No.3. As far as applicant Nos.1 and 2 are concerned the allegation are of a general in nature, and therefore, their custodial interrogation is not required. Accordingly, I proceed to pass the following order:

- (i) The application is partly allowed.
- (ii) The prayer of applicant No.3 for grant of anticipatory bail is hereby rejected.
- (iii) In the event of the arrest, the applicant Nos.1 and 2 namely 1) Smt. Tilottama Bhaurao Raipure and 2) Dipak Bhaurao Raipure in connection with Crime No.489/2025 registered with Police Station Ram Nagar, Chandrapur, District Chandrapur for the offence punishable under Sections 80, 85, 108, 115(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, be released on anticipatory bail, on executing P.R. Bond in the sum of Rs.25,000/- each with one solvent surety each in the like amount.
- (iv) The applicant No.2 shall attend the concerned police station once in a week i.e. on every Monday between 10.00 AM and 1.00 PM, till filing of the charge-sheet and shall cooperate with the investigating agency.

(v) The applicant No.1 shall attend the concerned police station as and when required for the investigation purpose on issuance of notice of 7 days in advance.

(vi) The applicant Nos.1 and 2 shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

7. The contravention of any of the condition would lead to the cancellation of bail.

8. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*