

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.1330 of 2025

ORAL ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused No.7 in Crime No.07 of 2025 on the file of the Nallabelli Police Station, Warangal District, registered for the offences punishable under Sections 108, 62 read with 3(5) of BNS.

2. The brief facts of the case are that the wife of deceased lodged a complaint before the police alleging that petitioner, along with other accused gave amounts to the deceased and when he failed to repay the same, they threatened him due to which he committed suicide. It was alleged that along with other accused, the petitioner is responsible for the death of the husband of complainant. Thereby, a case was registered against the petitioner and other accused for the offences as alleged. Aggrieved thereby, this Criminal Petition is filed.

3. Heard Sri A.Prabhakar Rao, learned counsel for petitioners, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent – State.

4. Learned counsel for the petitioner submitted that the implication of petitioner in the case is completely based on assumptions and presumptions and that he is no way concerned with the offence as alleged. He contended that the dying declaration of deceased would clearly show that the deceased committed suicide due to burden of huge debts. He averred that the name of petitioner is not even mentioned in the dying declaration, as such, there is no abetment of suicide. Therefore, prayed this Court to allow the criminal petition, granting the relief of anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor submitted that the allegations leveled against the petitioner are serious in nature. Therefore, the question of granting pre arrest bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Having regard to the rival submissions made, on going through the material placed on record, it is noted that even as per the complaint averments, except stating that the petitioner also gave certain amount to the deceased and insisted the deceased to repay the amount, there are no other specific set of allegations against the petitioner. Considering the same, this Court deems it fit to grant pre-arrest bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Nallabelli Police Station, Warangal District, 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/- each, with two sureties, for the like sum each.
- ii. The petitioner 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.

- iii. The petitioner shall appear before
the concerned Investigating Officer
on every Monday between 09:00
a.m, and 05:00 p.m., till the filing of
the charge sheet and thereafter, as
and when required.

- 7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall
stand closed.

K. SUJANA, J

Date: 07.02.2025
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