

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.2303 of 2025

ORDER:

Seeking the Court to enlarge the petitioners, who are arrayed as accused Nos.1 to 4 and 6 in Crime No.3 of 2025 of Inavolu Police Station, Warangal District, on pre-arrest bail, the present Criminal Petition is filed.

2. The brief facts of the case are that the de facto complainant reported to the police that his family was boycotted by their caste elders, who demanded a fine of Rs.70,000 and membership fees. Despite his refusal, the elders allegedly erected boundary stones on his land to provide a way for another person, Beenaboina Ramesh. When questioned, the elders abused Komuraiah's daughter, who then attempted to commit suicide by consuming pesticides. Komuraiah alleged that the elders' actions led to his daughter's attempted suicide and requested action against them. Based on his report, the police registered a case under sections 329(3), 108 read with 62 read with 190 of BNS, and Section 7 of PCRA.

3. Heard Sri A. Prabhakar Rao, learned counsel appearing on behalf of the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioners did not commit the alleged offence and deny abusing the daughter of the de facto complainant. He further submitted that the complainant allegedly harbored a grudge against the caste elders for changing their decision on providing a way to Beenaboina Ramesh. He further submitted that the petitioners had no involvement in the daughter's attempted suicide, which was reportedly due to a family dispute. The allegations in the FIR do not satisfy the ingredients for the charged offences. Therefore, he prayed the Court to grant pre-arrest bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor vehemently opposed the submissions made by learned counsel for petitioners, stating that the allegations leveled against the petitioners are serious in nature. At this stage,

granting of pre-arrest bail to the petitioners does not arise. Therefore, he prayed the Court to dismiss the Criminal Petition.

6. After considering the submissions made by both the learned counsel and reviewing the material available on record, it appears that the alleged offences against the petitioners are punishable with less than seven (7) years imprisonment. The sole allegation against the petitioners is that the de facto complainant's daughter attempted to commit suicide after being removed from the caste. Considering the facts and circumstances of the case, as the material part of the investigation is completed, this Court deems it fit to grant pre-arrest bail to the petitioners subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Inavolu Police Station, Warangal District, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.

- ii. The petitioners 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 petitioners 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.

Date: 25.02.2025
SAI

K. SUJANA, J

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