

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.3617 of 2025

Order:

This Criminal Petition is filed by the petitioners/accused Nos.1 to 4 seeking anticipatory bail under Section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS), in connection with Crime No.562 of 2024 of Pocharam IT Corridor Police Station, Rachakonda, registered for the offence punishable under Section 107 of Bharatiya Nyaya Sanhita (BNS) and Section 3(2)(v) of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'the SC/ST Act).

2. Heard Mr. C.Hari Preeth, learned counsel for the petitioners and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution is that on 10.12.2024 at about 9:30 hours, the Station House Officer, Pocharam IT

Corridor Police Station, received a complaint from the complainant stating that he has two sons out of whom elder son is studying B.Tech III year and his younger son *viz.*, B.Tanush is studying Intermediate (MPC) 1st year at Narayana Junior College, Annojiguda *vide* admission No.2272466-N/120 and 02.12.2024, the complainant dropped Tanush at college at about 9.45 hours and returned to his work place and at about 18:00 hours, the Principal made a phone call to complainant and asked him to come immediately as his son fell unconscious in the washroom and when the complainant went to the college, they took Tanush to Surya Hospital, Narapally, where he was declared dead. Hence, the complainant alleged that due to the harassment of the petitioners, Tanush committed suicide by hanging in the washroom. Basing on the said complaint, the aforesaid Crime was registered against the petitioners/accused Nos.1 to 4 for the aforesaid offences.

4. Learned counsel for the petitioners/accused Nos.1 to 4 submits that the petitioners have not committed the offence and they have been falsely implicated in the aforesaid crime. He further submitted that there are no specific allegations against the petitioners so attract the ingredients of Section 107 of BNS. He further submitted that on the very same day, the complainant and others entered into the college premises, beat the petitioners and damaged the furniture and other articles and on the complaint made petitioner No.3/accused No.3, police registered Crime No.582 of 2024 against the complainant and others for the offences under Sections 329(4), 324(5), 308, 351(2) & 352 r/w 190 of BNS. He further submits that the petitioners are employees of Narayana Institution and are eking out their livelihood on the salaries and they may be granted anticipatory bail as they are ready to cooperate with the investigating officer for investigation and abide by the conditions that may be imposed by the Court.

5. Per contra, learned Additional Public Prosecutor submits that the investigation is in progress and if the petitioners/accused Nos.1 to 4 are granted anticipatory bail at this stage, there is every chance of their influencing the witnesses and interfering with the investigation. Hence, he prays to dismiss this criminal petition.

6. Having heard learned counsel for the parties and having perused the material available on record, it reveals that initially the present crime was registered for the offence under Section 194 of BNS and later the section of law was altered to Section 107 BNS and Section 3(2)(v) of SC/ST Act. However, basing on the complaint made by petitioner No.3/accused No.3, Crime No.582 of 2024 has been registered against the complainant and others. As per the learned Additional Public Prosecutor, twenty witnesses have already been examined in the present crime.

7. In view of the same, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.1 to 4 subject to the following conditions:

- (i) Petitioners/accused Nos.1 to 4 are directed to surrender before the Station House Officer, Pocharam IT Corridor Police Station, Rachakonda on or before 29.03.2025;
- (ii) On such surrender, the Station House Officer Pocharam IT Corridor Police Station, Rachakonda shall release the petitioners/accused Nos.1 to 4 on bail on each of them executing personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties each for a likesum each to the satisfaction of the said Officer;
- (iii) On such release, petitioners/accused Nos.1 to 4 shall appear before the Station House Officer, Pocharam IT Corridor Police Station, Rachakonda on every Sunday at 11:00 a.m., for a period of eight weeks for the purpose of investigation and thereafter, as and when required by the police for investigation.
- (iv) Petitioners/accused Nos.1 to 4 shall abide by the conditions stipulated under Section 438(2) of

the Criminal Procedure Code, 1973/Section 482 of BNSS and shall cooperate with the investigation officer for conclusion of investigation.

8. Subject to the above directions, the Criminal Petition is allowed. No costs.

As a sequel, miscellaneous petitions, pending if any, stand closed.

0Date: 24.03.2025
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J.SREENIVAS RAO, J